

Explaining attitudes towards the justice system in the UK and Europe

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Summary

Objectives

The main objective of this study was to analyse citizens' attitudes towards the justice system and their determinants, both in the UK and internationally. Based on a literature review and an analysis of existing opinion data, it maps common reasons for dissatisfaction with the justice system in a number of Western countries, and summarises long-term trends in this context. The study analyses the factors that associate with attitudes towards the justice system, again on the basis of international comparisons. The findings have been used to consider the value of different types of survey and opinion research on the justice system to the task of improving confidence and legitimacy.

Methodology

The study has been based on secondary analysis of existing social surveys. First, findings from earlier research are summarised in chapter two. Chapter three summarises basic international data from the World Values Survey, Eurobarometer, and the European Social Survey, to map trends in confidence in the justice system in Western countries and the UK. The findings from chapter two are then used in chapter four to build a model for analysing data on 'trust in the legal system' from the European Social Survey for 19 European countries. Given the very general nature of the data and findings in chapter four, a more detailed analysis in chapter five uses data from the 2005/06 British Crime Survey to analyse attitudes towards particular elements of the Criminal Justice System (CJS).

Key findings

Earlier international research on attitudes towards the justice system

- Citizens in many countries are dissatisfied with the justice system's efficiency, its costs and tendencies towards bureaucratic procedures.
- Yet, confidence in the justice system's fairness and outcomes remains generally high.
- General attitudes towards the justice system appear to relate closely to attitudes towards other governmental institutions.
- While the justice system often suffers from a bad image, professionals in the system often receive much better ratings.
- Most of the published research has focused on criminal justice with relatively less attention paid to the comparable issues of civil justice.
- Variables measuring citizens' direct experiences of the justice system are often too general in nature to support detailed understanding of underlying attitudes.

Findings from international survey data

- Confidence in the justice system has declined substantially in most Western countries compared with the early 1980s.
- This decline seems to have been halted in the second half of the 1990s.
- The United Kingdom is no exception to this trend.
- In a wider European perspective, citizens' attitudes towards the justice system in the United Kingdom are close to the average.
- The justice system is rarely among the most trusted institutions in any country.

Determinants of trust in the legal system in European countries (European Social Survey data)

- Multivariate statistical models containing variables such as gender, education, age, feelings of safety, interpersonal trust, life satisfaction, feelings of discrimination, political self-identification and political interest explain little of the variation in levels of trust in the legal system in European countries. This includes the UK.
- People's trust in the legal system is positively associated with trusting other people and with being satisfied with one's life in almost all European countries.
- In the UK, trust in the legal system tends to increase with levels of education, while higher life satisfaction, interpersonal trust and feelings of safety tends to associate with higher levels of trust in the legal system.
- The sense of belonging to a group suffering discrimination associates with reduced trust in the legal system.
- Variables such as gender, age, political self-identification and political interest do not correlate with levels of trust in the legal system in the UK.
- Overall, however, the models do not explain well the variation in levels of trust in the legal system.

Confidence in the CJS in the UK (British Crime Survey data)

- Statistical models were used to explore differences in citizens' confidence in the CJS, looking specifically at ratings of the capability of the CJS to bring offenders to justice, to respect the rights of the accused, to deal with cases promptly and efficiently, and to reduce crime. Generally, these models provided poor explanation for variance in public confidence. It seems that we need to examine other factors in trying to explain attitudes towards the CJS.

- Women and younger respondents are generally more confident in the effectiveness of the CJS in bringing offenders to justice.
- Men are found to be more confident in the CJS's respect for the rights of the accused. Respondents' confidence in the CJS's respect for the rights of the accused appears to be influenced by different factors than other specific attitudes towards the CJS. An interesting finding was that those who had experienced being arrested by the police had less confidence in the capability of the CJS to respect the rights of people accused of a crime.
- Despite these findings, the explanatory power of the models is very low.

Professionals and agencies in the CJS (British Crime Survey data)

- Analysis indicates that citizens generally believe the police to be doing a good job. Judges, magistrates, prisons, the Crown Prosecution Service (CPS) and the probation service tend to be perceived in a less positive way. Juvenile courts receive the most negative ratings.
- Interestingly, younger respondents tend to perceive all agencies and professionals (with the exception of magistrates) in more positive light than their older counterparts
- Feelings of personal safety are positively associated with evaluations of professionals and agencies in the CJS.
- Attitudes towards prisons appear to be determined by other factors than do attitudes towards other agencies and professionals in the CJS. Women and those with higher education levels are less inclined to think that prisons are doing a good job, while the same groups generally perceive the other agencies and their practitioners more positively.

Attitudes towards the justice system and implications for survey research

- Attitudes towards the system as reflected in general social surveys cannot be studied without also studying broader attitudes towards government and indeed to broader values in society. When using individual questions in large social surveys it is therefore important to carefully consider the context and wording of questions. To be used as performance indicators, these attitudes have little value and are likely to engender different responses from questions in a more focused study (such as specific court satisfaction surveys or the British Crime Survey).

- Generalised surveys are not necessarily helpful as a basis for measuring the efficiency of the justice system or for making operational changes, and care should be taken to ensure that these are used appropriately when commenting on levels of confidence in the system. At the same time, specific surveys of users are less likely to generate the kinds of information needed to explain why the justice system tends to suffer from a generally low public image.
- Survey research on the justice system therefore has to distinguish between two different reasons, with implications for the type of instruments to be used:

Reason 1: Researching the justice system's legitimacy, the determinants of this legitimacy, and strategies for maintaining or improving this legitimacy.

Focus of the research: evaluations of the perceived fairness of the system, with a focus on issues such as equity and equal treatment, perceptions of the independence and impartiality of judges and judicial decision-making, and the relation between social, cultural and personal values and the perceived values of the justice system.

Reason 2: Researching for improvement in the operational aspects of the justice system, its accessibility, ease of use and efficiency.

Focus of the survey research: measurement at the very basic level, with a focus on operational aspects of the justice system and users' experiences. This can best be done through a mix of instruments, including court satisfaction surveys and specific user focus groups.

1. Introduction

This report was commissioned from the School of Public Policy at the University of Birmingham, as part of the 2006 Research Programme of the Department for Constitutional Affairs (now the Ministry of Justice).

The objective of this report is to contribute to the strategy of the Ministry of Justice by analysing what determines citizens' attitudes in the justice system, and by framing levels of confidence in wider European context. The Public Service Agreement target 2, is to 'reassure the public, reducing fear of crime and anti-social behaviour and building confidence in the criminal justice system without compromising fairness'.

For this reason, it is important to know what attitudes towards the justice system actually mean. Do they reflect the performance of the justice system, or are these attitudes influenced by other factors? This report is therefore focusing on the broader societal context of the attitudes. The analysis concentrates on the opinions of citizens in general, and not just on those of the users of justice system.

The report also looks beyond the UK, by summarising the international opinion research and literature on attitudes towards the justice system. This contributes to the framing of discussions in the UK within a broader international context. In addition, this report reflects on the usefulness of using certain types of survey and opinion data for measuring the performance of the CJS.

The report consists of a further five main chapters

A review of international research on attitudes towards the justice system

An international comparison of attitudes towards the justice system

What determines trust in the legal system in European countries?

Analysis of drivers of confidence in the British CJS

Conclusions and recommendations

Chapter two explores the international literature and summarises earlier studies on attitudes towards the justice system in the UK, a number of European countries, and Northern America. Rather than presenting a comprehensive survey of the literature, this chapter is of an exploratory nature. It aims to review the main international tendencies to aid the interpretation of the analysis in subsequent chapters.

Chapter three screens three international social surveys that have measured general attitudes towards the justice system. It looks at levels of confidence in the justice system in Western countries, and analyses the international position of the UK.

Chapter four uses the European Social Survey to analyse determinants of attitudes towards the justice system in 19 European countries, including the UK. The analysis is used to look at the processes that determine respondents' opinions in general surveys, and to reflect on the relevance of using very general attitudes and broad social surveys to assess the performance of justice systems.

Chapter five studies levels of confidence in several aspects of justice delivery in the England and Wales, using the British Crime Survey.

The sixth and final chapter summarises the findings and identifies gaps in current research. It also identifies future directions for survey research on the CJS.

Note on terminology

This report uses existing international datasets. This creates a number of problems of conceptual equivalence because different surveys and different languages use different concepts. In this report, we focus on general attitudes towards the justice system. In the report we will generally use the terminology 'attitudes towards the justice system' or 'confidence in the justice system'. Where however we are using existing surveys or other existing material, we copy the terminology used in these sources. For this reason, 'trust in justice system', 'satisfaction with justice', or 'trust in the legal system' will also frequently be used. In chapter five, where we analyse the UK, we use CJS. In the review of data, the concepts 'trust' and 'confidence' are used interchangeably, in line with the concepts used by the relevant data sources. This should be borne in mind in interpreting findings of this report.

The academic literature often distinguishes between the concepts of 'trust' and 'confidence'. Both these terms are surrounded by conceptual vagueness (Luhmann, 1998) and definitions abound. No agreement exists on what is actually meant by 'trust', and there is even less

agreement on whether the origins of trust are of a cognitive, emotional or socio-cultural nature (Lewis & Weigert, 1985). A common issue in the discussion is the difference between confidence and trust, recognised as an important distinction by some, but disregarded by others. Luhmann (1998) distinguishes between confidence and trust by defining the former term as indicating a taken for granted attitude that familiar things will remain stable. He suggests that not considering alternatives, indicates a situation of confidence.

In many languages, the same word is used for trust and confidence, making it less easy to distinguish between the two concepts. Dekker *et al.* (2004: 42) suggest that the use of 'trust' in some surveys, and 'confidence' in others may have impacted upon answers in Anglophone countries (there is little reason to assume that this would be the case in certain countries, for the simple reason that only one word is used - e.g. *vertrouwen* in Dutch, *vertrauen* in German, or *confiance* in French).

Theoretical discussions in the study of trust and confidence are often not reflected in the survey practice. Some general social surveys use the word trust, others use confidence. Moreover, the desire to facilitate comparison in successive surveys often means that the same word is used repeatedly, so denying the possibility of explaining differences that might relate to the choice of terminology. Given the purpose of most opinion research in a policy context, which is to contribute to improvements in the justice system rather than to contribute to the theoretical debate, the concepts should be used in a pragmatic way (see e.g. Dalglish & Myhill, 2004 for a similar comment in a policing research context).

Most studies and surveys talk about the justice system in general, and do not distinguish between the criminal and the civil justice system. Where this is not the case, the focus of these surveys is generally on the criminal justice system. Unless the source material used is explicit about it, we neither distinguish between the criminal and the civil justice system, but talk about the justice system in general. The analysis using data from the British Crime Survey, however, pertains to the criminal justice system.

Note on statistical significance

When in chapters four and five differences between groups are reported, this always refers to differences that are significant at the $p < 0.05$ level. Where we have studied interactions between two variables, we only report the outcome of the analysis, and not the detailed statistics leading to these outcomes. This information can be obtained from the authors. Where interactions between more than two variables have been studied, detailed findings and supporting tables have been inserted as appendices.

2. A review of international research on attitudes towards the justice system

Attitudes towards the justice system

The justice system is a key function of democratic states. Citizens' dissatisfaction with the delivery and management of justice challenges the legitimacy of the state. Better insight into the drivers of satisfaction and dissatisfaction is crucial to devise reform strategies. When it comes to studying citizens' trust in government, the courts (with the police) are often cited as so-called 'core functions' of the state. These institutions serve as a guarantee that all other processes in government function in a democratic way. We can thus talk about meta-trust: trust in the police and the courts makes trust in other public institutions possible, because police and courts provide some guarantee against possible misbehaviour by such other institutions (Tyler & Huo, 2002). Failure by the courts to perform effectively in the eyes of the public may generate distrust, not only in the courts themselves and in their justice, but also in the entire democratic system.

Where confidence and satisfaction are low, citizens will fail to report crimes, and are likely to be less willing to serve as jurors or act as witnesses (Roberts & Hough, 2004). Furthermore, attitudes towards courts influence people's propensity to use courts to try to get redress (Genn, 1999: 228). When the justice system has a bad reputation, there will be greater difficulties in recruiting sufficient competent staff (Äijaälä, 2002), and this may ultimately serve further to undermine the state's legitimacy.

The justice system's image in many countries has all too frequently been challenged by numerous scandals. While this has been less the case in the UK, reasons for dissatisfaction with the justice system have been strikingly similar between countries. Yet, there remains considerable disagreement on the nature of the problem. While in the international public discourse there is talk of a deep crisis, some would contend there is just a confidence deficit (Bastien, 1998; Tyler, 1997) that can be solved by taking a number of measures.

As conferences, publications, research projects, polls and action plans demonstrate, the issue of citizen attitudes towards the justice system is very high on the British and international public agenda. In recent years, we have seen a number of government-related and academic initiatives to study public opinion towards the justice system (Parmentier *et al.*, 2005). The Dutch Social and Cultural Planning Office, for example, issued a comprehensive study of citizens' confidence in the delivery of justice (Dekker *et al.*, 2004), and the Netherlands recently developed a *Justitie Issue Monitor* - justice issues monitor (Intomart GfK bv 2005).

A consortium of Belgian Universities developed a *Justitiebarometer* for the Belgian Ministry of Justice and undertook qualitative and quantitative research on 'Public opinion and the administration of justice' (Cloet *et al.*, 2005). In Spain, a number of surveys have contributed to our knowledge about citizens' perception of the justice system (Toharia, 2005), and in France we have seen a number of justice satisfaction surveys. The Australian National University organised a conference in February 2007 on confidence in the courts (<http://law.anu.edu.au/nissl/courts.htm>), and in the UK, confidence in and satisfaction with the justice system has become one of the core areas of attention in government (Brown, 2005, p.174).

A review of international findings

Earlier research on citizen attitudes towards the justice system has tended to focus on issues related to crime and sentencing (Cullen *et al.*, 2000; Roberts *et al.*, 2003; Roberts & Hough, 2002; Shaw, 1982; Walker & Hough, 1998). This includes research on victim satisfaction, especially in domestic violence cases (Hotaling & Buzawa, 2003), and research on specific topics such as restorative justice or youth crime (Roberts & Hough, 2005).

In terms of overall attitudes towards the justice system, the work of Roberts and Hough (2004), and Parmentier *et al.* (2005) is especially useful. But rather than detailing in full their contributions here, we will focus our review on other research findings from a number of countries not particularly covered in their research. This review is not a comprehensive one, but only highlights some key findings and differences between countries that should facilitate the interpretation of the data review and analysis in later chapters.

Looking at findings from research in other countries is important, because, despite many similarities in opinions about the justice system, drivers of attitudes towards the justice system are likely to be somewhat different under different justice systems and as a result of different socio-political contexts. For example, Roberts and Hough (2004) cite the contrast between the US, where much criticism results from political interference in the judicial system, and the UK, where it tends to result from perceptions that judges are out of touch with community values.

United Kingdom

Before presenting some findings in other countries, we start by summarising a number of findings relating to the UK. The findings reported here put the findings in other countries in context, and are an introduction to the analysis in chapter five. Previous analysis of the British Crime Survey (BCS) shows that public opinion on the CJS is quite poor (Chapman *et al.*, 2002).

Yet we cannot speak about a monolithic attitude in the general population. Brown for instance reported that Asian and Black respondents are more positive than White respondents, except where it comes to respecting the rights of the accused (Brown, 2005, pp.175-6). People from an Asian background are more likely to rate CJS agencies as doing a good or excellent job, yet, 'relative to White people, people from BME groups reported higher levels of perceived discrimination within the Criminal Justice System' (Reza & Magill, 2006). Mirrlees-Black (2001) found that males and the higher educated have less confidence in the justice system, as do those in middle age categories (i.e. those not in the lowest or highest age categories). Another interesting finding is that confidence in aspects of the CJS is lower among those who have had direct contact with it (victims, jurors, witnesses, suspects) (Brown, 2005, p.175). This suggests more of a performance problem than just an image problem.

Genn (1999) studied strategies citizens use for resolving justiciable problems, and barriers they encounter, and found that three-quarters of respondents thought that the justice system worked better for the rich than for the poor (1999, p.234) and that judges were out of touch with ordinary people's lives (1999, pp.239-40). Overall, citizens were less than confident that they would receive fair treatment. The higher educated were more likely to disagree with the proposition that courts are an important way for ordinary people to enforce their rights (1999, pp.227). Less educated, older and younger respondents were more positive however, and Genn concluded that variations in confidence reflected scepticism rather than alienation from the courts.

Belgium

A Belgian top magistrate described public confidence in the Belgian justice system as worrying (*inquiétant*) (Dejemeppe, 2005, p.159). The justice system has the image of being slow and inefficient, a view strengthened by a series of perceived blunders related to the Dutroux paedophilia case in the late 1990s. This led to a plummeting of public confidence, and subsequently to the development of a number of justice reform initiatives (Depré *et al.*, 2003). In recent years, the study of public perceptions of the justice system has become more important, as reflected in a number of publications (Cloet *et al.*, 2005; Parmentier *et al.*, 2004; Schoffelen *et al.*, 2006), and, more specifically, in the development of a Justice Barometer, preceded by an extensive qualitative study.

This Justice Barometer, an opinion poll on justice issues, was organised for the first time in 2002, and repeated since (Cloet *et al.*, 2005). It contains a section on general attitudes towards the justice system with questions on the satisfaction with its functioning (accessibility, guarantee of a fair trial, ...), questions on satisfaction with court proceedings (language, procedural

errors,...) and questions on satisfaction with various practitioners (lawyers, judges,...). The second section deals with civil law aspects (listening to children where cases concern them, lay judges in labour-related cases ...), and the third one with criminal law issues. While some quite basic analysis is available, detailed analysis of the data is still lagging behind. Among the most important findings are that there is an overwhelming general public view that legal proceedings take too long, that insufficient information is provided, and that the justice system is too class-based. The inaccessibility and technicality of legal documents is another common cause for dissatisfaction.

Canada

Canada is one of the few countries where a considerable amount of research has been undertaken on citizens' attitudes towards the justice system (Roberts, 2005). For Canada, 'poll findings suggest that there is a problem with respect to public confidence in the administration of justice in Canada' (Roberts, p.2004: iv) and confidence in justice is lower than in many other institutions.

Tufts (2000) used the 1999 General Social Survey in Canada and found men and younger respondents to be more positive towards criminal courts. She also found regional differences. Views about the CJS also tended to correlate with perceptions of one's personal safety from crime. Those with experience with the courts did not think they provided justice quickly enough, but were generally more satisfied with the fairness of the system. Differences in evaluating different aspects of the justice system are also related to the respondents' level of education: 'those with less than a high school education were more likely to feel that the criminal courts were doing a good job at providing justice quickly and helping the victim [...]. In contrast, Canadians having a university degree were more likely to believe that the courts were doing a good job at determining whether or not the accused is guilty [...] and ensuring a fair trial for the accused [...]' (Tufts, 2000, p.5).

These findings reveal an interesting trend: attitudes on managerial aspects of criminal justice delivery differ from those touching on values of justice (determining guilt, fairness). This corresponds to Roberts' findings, based on research in Canada and in the UK, which showed that in both countries citizens were generally positive about the fairness of the system and about the respect for the rights of the accused. Yet, at the same time, they were very critical of the efficiency of courts, and of their ability to meet the needs of victims (2005, p.134).

France

In France, there has been sustained interest in measuring citizen' satisfaction with justice. We mainly refer to two surveys in 1997 and 2001 (Les Français et la justice), and to other research by, or commissioned by, the *Mission de recherche Droit et Justice* (www.gip-recherche-justice.fr). In addition, there exists some older material (Roberts, 2005). Many observations are quite similar to those in other countries. Citizens have a negative image of the justice system, users are critical about the system's performance, and those working for it are dissatisfied with the working conditions (Cluzel & Sibony, 2001). As is the case in other countries, citizens' knowledge about the justice system is seen to be rather low (Bastien, 1998).

Areas of dissatisfaction relate to aspects such as a lack of information, delays, complication of the procedures, the duration of cases and the use of complex language. The justice system is also seen as not delivering equal treatment and as being no longer capable of dealing with new social problems (Cluzel & Sibony, 2001; Pache & Fort, 2001).

Positively evaluated aspects include the infrastructure, physical accessibility of the courts and the overall appearance of the court rooms. The personnel and professionals in the justice system are evaluated more positively than the justice system itself. Staff are generally seen as courteous; lawyers as very helpful and judges as both impartial and knowledgeable about the cases with which they are dealing. In short, professionals in the justice system are regarded as suitably sensitive and professional. At the same time however, magistrates are seen as being too close to the economic and financial elite and to politics (Bastien, 1998, p.25).

An important finding is that while users of the justice system have general confidence in the system, they are critical about the justice system's functioning in terms of delays, the language used, and the complexity of procedures (Pache & Fort, 2001). Using the justice system has an effect on opinions about the system's functioning: half of those who had used the justice system in the 2001 survey stated that their direct experience with it had changed their opinions. For some 30% of those interviewed, this meant a change to a more negative assessment, compared with just 19% where experience had lead to a more positive view.

It seems that the general image of the system and evaluations of its functioning reflect a diverse range of opinions. While citizens overall have a negative image of the justice system, those who have had direct contact with it are mainly dissatisfied with the system's functioning (Cluzel & Sibony, 2001). Other evidence shows that older citizens have less confidence in the justice system, but in analyses of satisfaction with its functioning, all age groups seem equally dissatisfied (Bastien, 1998).

A second, and related finding, is that the public's general image of the justice system is strongly influenced by other opinions. Opinions about the justice system and about society go together: those who want society to change are also negative about the justice system (Bastien, 1998). Attitudes basically reflect a political cleavage in society. Confidence in justice cannot easily be disassociated from opinions on political institutions: these opinions are very much coupled (Bastien, 1998, p.20). Those with low confidence in the government, parliament or politics, also have low confidence in the justice system. This has to do with political salience of certain justice-related issues. Abstract justice-related issues that are debated in the political sphere will be evaluated by citizens in a way that closely resembles their attitudes towards politics. Bastien's findings therefore imply that when political institutions are held in low regard, clichés about the justice system will also be negative. This explains why in France non-users of the justice system have a more negative opinion about it, because their opinion tends to be based on negative clichés. This perhaps also explains why those with a higher education have higher levels of confidence in the justice system. However, this coupling of justice-related issues and politics is much weaker for civil law issues, because these issues do not figure as prominently in the public debate. In other words, opinions on civil law issues are much more positive because there is no established 'public opinion' on these issues. These attitudes are therefore likely to reflect experience to a greater extent.

Netherlands

The Dutch Social and Cultural Planning Office reviewed a series of available opinion survey datasets on confidence in the justice system (Dekker *et al.*, 2004). The rather fragmented evidence suggests a decline in confidence between 1981 and 1999, although this trend seems to have been arrested by the end of the 1990s. More recent data, from a variety of sources such as Eurobarometer and the *Justitie Issues Monitor* no longer show downward trends, but just some short-term fluctuations. Key findings from the review here include the fact that males appear to have more confidence in the justice system than females, and the young more so than the old (although age-related differences have reduced in recent years, and in some datasets, no age-effect is to be found). The most important factor is that of education, with the higher educated displaying stronger levels of confidence in the justice system. This finding is replicated in many European countries, with the exception of Italy and Spain, where confidence is the lowest among the higher educated. Additionally, as noted above, in the UK the higher educated have less confidence. Views on the justice system seem closely associated with perceptions about the state in general (e.g. police, civil servants, parliament), with strikingly similar evaluations.

Since 1996, the Dutch Ministry of Justice has a *Justitie Issues Monitor*, an opinion survey covering a range of justice system-related issues, such as the administration of justice, juvenile crime, immigration and integration. Every two months, 400 people participate in this telephone survey, which is used to monitor developments in attitudes and to develop policy. The quantitative aspect of the surveys is once every year supplemented by focus groups. Some findings from the monitor in 2005 reveal that citizens' overall appreciation of the justice system has remained stable since 1996, and that four out of five think that punishment for criminals could be more severe. Three-fifths of the Dutch thinks judges are doing a good job, and 84% thinks that judges should only look at the case, and should not be concerned by what public opinion thinks about the case (Intomart GfK bv, 2005).

Spain

The literature relating to Spain indicates that while citizens express dissatisfaction with the functioning of the justice system, they still generally regard the system as protecting democracy and individual freedoms, a system that is seen as fair, independent, expert, and not corrupt (Toharia, 2005). A number of surveys in 2000 and 2002 sponsored by the *Consejo General del Poder Judicial* (Judicial System General Council) among 1,200 Spanish citizens on public opinion and justice showed that reasons for dissatisfaction tend to centre upon the perceived slowness in sentencing and in executing sentences, and the high cost of the process, both in terms of money and in terms of time and emotional investment (Toharia, 2005, p.110). Spaniards generally see judges as representative of society in terms of the values and views they hold, yet they also think that the wealthy and influential receive better treatment (as opposed to the working class and minority groups) (Toharia, 2005).

Switzerland

The Palace of Justice in Geneva organised a number of satisfaction surveys in 1997 and 2001, not only among citizens, but also among other users of the justice system such as lawyers (Commission de gestion du Pouvoir judiciaire, 2002). The citizen survey revealed rather low confidence, especially among those who had been in contact with the justice system (mainly, but not exclusively, as witnesses). The general view arising from the survey results was that justice was slow, expensive and not transparent, and that there was a different justice for the rich and the poor. At the same time, those working in the justice system were seen in a much more positive way. Overall, citizens' characteristics mattered little in these opinions. This includes socio-demographics, but also whether one had been in contact with justice, won or lost a case etc. Some of the messages that emerged from the 2001 survey include:

- cases should be dealt with faster;
- access to the courts is too complicated and expensive;
- magistrates' and functionaries' competence and friendliness are considered the most important aspects for users;
- witnesses felt neglected;
- rooms and facilities were considered to be easily accessible and well equipped and arranged;
- citizens estimated the cost of the justice system as 10 times more expensive than it was in reality.

USA

In the US, a series of surveys and other research studies have been undertaken on citizens' perception of the justice system (see e.g. American Bar Association, 1999; Flanagan & Longmore, 1996; National Center for State Courts, 1999). Rottman and Tomkins (1999) summarised two decades of research on citizens' perceptions of the courts in the US:

'the same negative and positive images of the judiciary recurred with varying degrees of forcefulness across all of the national and state surveys. The negative images centered on perceived inaccessibility, unfairness in the treatment of racial and ethnic minorities, leniency toward criminals, and a lack of concern about the problems of ordinary people. There was concern that the courts are biased in favor of the wealthy and corporations. Indeed, the perception of economic- based unfairness in civil cases seemed to rival the perception of judicial leniency in criminal cases as a source of public dissatisfaction. [...] The surveys also uncovered positive images of the courts. There were perceptions that judges are honest and fair in case decisions and well-trained, that the jury system works, and that judges and court personnel treat members of the public with courtesy and respect' (Rottman & Tomkins, 1999, p.25).

The National Center for State Courts defined 'Public trust and confidence' as one of five 'performance areas' for State trial courts. In its view, 'the public's compliance with the law is dependent to some degree upon its respect for the courts. Ideally, public trust and confidence in trial courts stem from the many contacts citizens have with the courts' (Cole, 1993). The same organisation organised a survey in 1999 on how the public views state courts. Overall, state courts received an average rating, but a strong majority reported they felt that politics influenced court decisions (National Center for State Courts, 1999, p.8).

The American Bar Association organised a survey in 1998 on perceptions of the U.S. justice system (American Bar Association, 1999). It revealed considerable variations in how different

aspects of the justice system were evaluated. Overall, confidence in the justice system increased when respondents had more knowledge about it or had experience with it. Confidence was also higher for males, and for people in higher income and higher education categories (American Bar Association, 1999, p.7). Positive findings were that respondents believed their justice system to be 'the best in the world'; that juries were seen as representing 'the fairest way to judge guilt or innocence'; that 'court personnel know their jobs and are courteous and polite'; and that 'most people have easy access to legal services and lawyers' (American Bar Association, 1999, p.12). The main concerns dealt with cost and duration, equality of treatment and leniency in sentencing. Key drivers for confidence or for a lack of confidence in the justice system were:

- court access and costs;
- treatment of minority groups;
- system leniency (severity of punishment, and the role of technicalities in the process);
- the need for lawyers and judges to make a more concerted effort at civic activities.

In contrast, Rottman and Tomkins (1999) found that perceptions differed between ethnic groups, with Afro-Americans being especially dissatisfied. This finding is also apparent in other research (National Center for State Courts, 1999; Sherman, 2002). For instance the American Bar Association found no ethnic differences in overall confidence, but only more positive attitudes among whites towards **specific** aspects of the justice system, such as equality of treatment (American Bar Association, 1999, p.9).

Attitudes towards the justice system: some trends in the literature

The different reports and studies analysed in the previous section reveal a number of similarities and differences, which allow us to identify a number of issues to consider in future research for policy. Citizens' attitudes towards the justice system reflect a combination of different elements. The efficient functioning of the courts is just one factor in these attitudes. More crucial in the debate are perceptions of fairness and due process, and the general perception of the justice system and its legitimacy. This means that any future comprehensive study of satisfaction with the justice system would need to focus on a number of interrelated factors. We illustrate this by highlighting a number of recurring findings.

Experience and knowledge

A common finding in much of the research is that citizens have only limited knowledge about their justice system (Chapman *et al.*, 2002; Cullen *et al.*, 2000). Many people tend to go to the courts with profound misunderstandings about how the system works (O'Barr & Conley, 1988).

British research showed that we find these low levels of knowledge across all socio-demographic groups (Chapman *et al.*, 2002). Yet, despite the lack of knowledge, citizens seem to be able to express an opinion on most issues.

Cynicism about the courts 'co-exists with extensive public ignorance about crime and sentencing' (Hough, 2003, p.151). It is however not clear whether improvements in knowledge

will also lead to higher confidence (Chapman *et al.*, 2002). The findings are mixed. Limited knowledge tends to coincide with negative opinions (Raine & Dunstan, 2006; Roberts, 2005, p.138). Dissatisfaction with the leniency of sentencing often disappears after the provision of better information (St Amand & Zamble, 2001), and information is sometimes found to lead to more confidence. In the American research, higher knowledge has however also been found to lead to lower confidence in courts in one's community (National Center for State Courts, 1999), and has coincided with citizens becoming more critical about the functioning of courts, as the research in France also demonstrated. Overall, the existing research has focused on very diverse aspects of the justice system, making comparison difficult. Knowledge and experience may lead to opinions that are based on facts, but knowledge of facts does not necessarily mean that opinions will become more positive. Factual information also includes information on the justice system's dysfunctions and inefficiencies.

Judges and the justice system

While the justice system often suffers from a bad image, the professionals in the system often receive much better ratings (Roberts, 2004, p.iv). Being a judge is seen as a respectable profession, yet at the same time those holding such office are not always seen as operating in an efficient and modern manner. It can be argued that the image citizens have of judges is a combination of several factors: an authority figure, an executor of the law, a representative of the ruling class. When respect for judges is declining, this can be due to a number of factors: declining respect for authority (Inglehart, 1997), dissatisfaction with the day-to-day functioning of the courts, or the perception that judges are out of touch.

Evaluations of the justice system vs. evaluations of other institutions

A final observation relates to how evaluations of the justice system are part of broader evaluations of other (governmental) institutions. High confidence in one institution often coincides with high confidence in other institutions. The research in France and the Netherlands, for example, showed that attitudes towards the justice system are strongly related to attitudes about the state in general. This makes it difficult to consider general attitudes towards the justice system as really distinct or to know for sure what the available data really tells us about justice in particular.

Satisfaction, confidence and trust

The most frequently cited causes of dissatisfaction in the review of international research relate to issues such as the speed and cost of procedures, and the overall efficiency of the justice system. At the same time, in general, citizens seem mostly satisfied with the fairness of the justice system; the main reasons for dissatisfaction with fairness, concern perceptions of a two-track or class-based justice system, and of judges being too out of touch. This suggests that we need to deal with two sets of attitudes. On the one hand it is useful to speak about satisfaction when dealing with the administrative or managerial performance of the justice system. On the other to consider issues of trust or confidence when talking about value-related issues, such as fairness of the system seems appropriate.

Conclusion

In the literature examined here, there seems to be no direct relationship between how the justice system is functioning and the way citizens view the justice system. Attitudes towards the justice system should not be seen as something monolithic. The literature suggests that opinions on procedural justice (fairness of the system) and opinions on the justice system performance and efficiency are different. While the latter tend to be rather negative in many countries, the former are often relatively positive. But the distinction goes even further. Opinions about the justice system need not necessarily be related to the operation of the justice system. They may, as we have seen in the review, reflect broader attitudes towards government or other institutions. Finally, attitudes towards the justice system may be a reflection of events and changes in society, some of which are related to justice issues (such as crime or fear of crime), but others which seem to have no direct relationship to justice issues (such as religion, life satisfaction etc.).

3. An international comparison of attitudes towards the justice system

Attitudes towards the justice system: an international overview

In this section of the report, we screen a number of existing international social surveys to map citizens' overall attitudes. A number of studies have already compared trust in the justice system internationally (Parmentier *et al.*, 2005; Roberts & Hough, 2004). This pioneering research has tended to juxtapose highly diverse data from different countries, rather than to compare it. Also, some existing data sources have not been included in the analysis. In this section we summarise major international trends in attitudes towards the justice system in general, relying on:

- The World and European Value Surveys (1981, 1990, 1995-1997, 1999-2000);
- The European Commission's Eurobarometer (1997-2006);
- The European Social Survey (2002, 2004).

Methodological information on these surveys can be found in appendix one.

Minor differences in levels of trust in the justice system between countries do not necessarily indicate significant differences in practice, as we know that levels of trust in institutions tend to be generally higher in some countries than in others. A more positive attitude towards the justice system in one country than in another should therefore not be interpreted as proof that the justice system is functioning better in that country.

The World and European Values Surveys

A first source we explore is the World Values Study. Started as the European Values Study, this is an international social survey, designed to measure value change in societies (Inglehart *et al.*, 1998; 2005). Started in 1981, the survey is repeated every 10 years in most countries, and is one of the most extensive sources of data on citizen attitudes towards a range of social and political issues. These surveys started as an attempt to map and explain long-term changes in societies' values, and now cover over 80 countries and societies. In the last wave, over 100,000 people were interviewed for this academic survey. One specific question in the survey deals with confidence in the justice system. Detailed results on this question from the 1981, 1990, 1995-97 and 1999-2000 waves of surveys for the European Values Survey and a number of other countries can be found in appendix two.

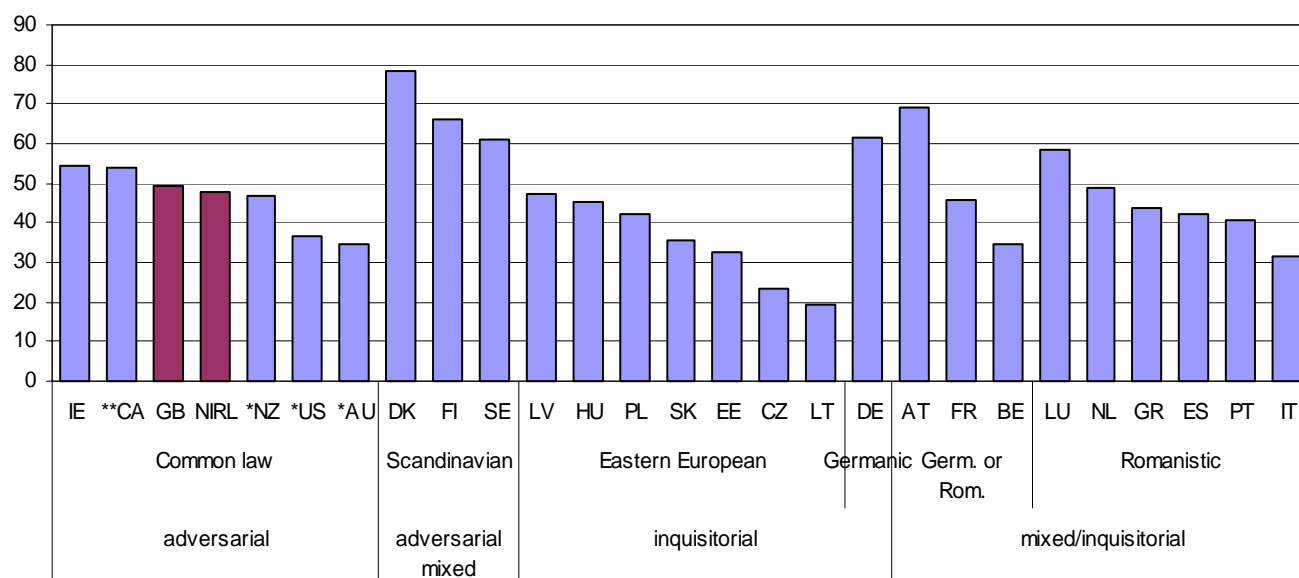
Trends

A general observation in the survey is that there has been a decline in confidence in the justice system in many countries.¹ When we compare levels of confidence in 1981 with those in 1999-2000, there is a decline in Belgium (-23.4 percentage points), Finland (-17.9), France (-10.6), Italy (-10.9), the Netherlands (-16.2), Spain (-6.6), Sweden (-12.2), and Hungary (-43.4). In Great Britain and Northern Ireland, confidence has decline from 65.7% and 67.5% to 49.1% and 47.9% respectively. In some other countries, there has also been a decline in confidence in the justice system, yet we cannot compare 1981 to 2000 because of a lack of data. This includes Australia and the US. There are some exceptions though. In Austria, Latvia and Iceland, confidence actually increased between 1990 and 1999 (with 10.5, 11.0, and 7 percentage points respectively, see appendix two). Moreover, in some other countries, levels of confidence have remained fairly stable. The decline in confidence is not one that is limited to the justice system. In the past two decades, several institutions such as the police, army and church have suffered from a decline in confidence. Inglehart attributes this decline to a general decline in respect for authority, having an impact on citizens' attitudes towards such institutions as the justice system, police, church or army (Inglehart, 1997).

Kuhry *et al.* (2004) have grouped justice systems in a series of EU and OECD countries according to their law tradition (common law, Scandinavian, Germanic or Romanistic) and according to whether they are inquisitorial or adversarial in nature. There is a body of literature arguing that these differences will have an impact on how citizens evaluate their experience with courts (see e.g., O'Barr & Conley, 1998). We wanted to know whether these system types were related to levels of confidence. As figure 3.1 shows, this proves not to be the case. There appears to be wide variation, and no obvious trends according to the justice system type can be distinguished.

¹ Note that there have been minor changes to the question order which may have influenced the scores.

**Figure 3.1: Confidence in the justice system and justice system types
(% great deal or quite a lot of confidence) (various dates)**



Source: World Values Study 1999-2000; * data from 1995 wave; ** data from 1990 wave; NIRL is Northern Ireland; Kuhry *et al.* (2004). Figure shows level of confidence in the justice system in a country, and countries are grouped according to how the justice system as a whole is organised). See appendix nine for key to countries.

Britain's position

Looking at Great Britain only,² we see a decline in confidence from 65.7% in 1981, to 49.1% in 1999-2000. Table 3.1 shows details. Most notable is the decrease of people saying they have a great deal of confidence in the justice system, while the number of people in the extreme negative category (no confidence at all) has increased sharply.

Table 3.1: Confidence in the justice system in Great Britain: detailed trends from the World Values Study

%	a great deal	quite a lot	not very much	none at all
1981	18.3	47.4	29.0	5.3
1990	14.0	38.5	40.5	7.0
1999-2000	9.9	39.2	36.5	14.3

Source: World Values Study

That said, the UK is hardly exceptional in this respect, and a similar decline in confidence is recorded in most countries. Indeed, within the EU-15, the UK emerges as very similar to other European countries.

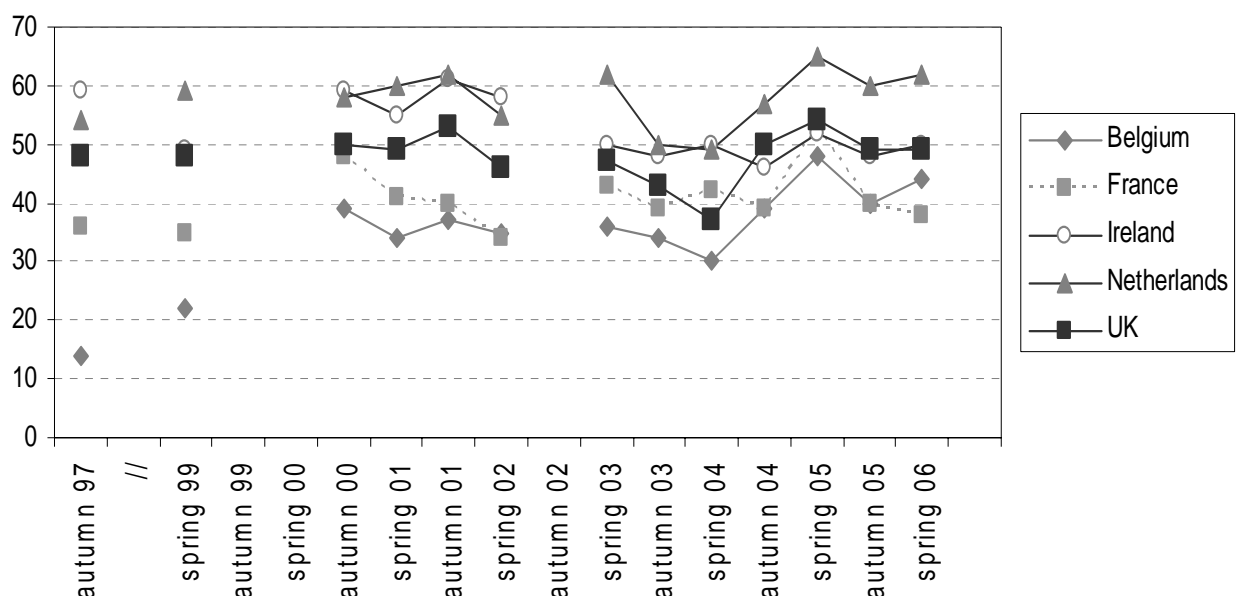
² We have data at our disposal for Great Britain and Northern Ireland separately in the World Values Study.

Eurobarometer

Whereas the World Values Study paints a picture of long-term changes between 1981 and 1999-2000, the European Commission's Eurobarometer data allow for a quite detailed mapping of trends over the last decade. This poll is repeated every six months (approximately 1,000 respondents per country). Recently, many of the polls have included a question on trust in the justice system: 'I would like to ask you a question about how much trust you have in certain institutions. For each of the following institutions, please tell me if you tend to trust it or tend not to trust it. Justice/the (nationality) legal system'. Detailed findings for European countries can be found in appendix three.

The data show that levels of trust in the UK are hardly exceptional. Figure 3.2 shows some trends in the UK and its neighbouring countries. Generally, levels of trust have been fairly stable, albeit with some minor fluctuations. The most visible change is that shown for Belgium, where we see a strong increase in trust between 1997 and 2000. This is likely to be due to the withering away of the effects of the Dutroux-paedophiliae crisis. There is no obvious explanation for the changes around spring 2004 in several countries. Ad-hoc explanations for certain countries can be developed though, without much assurance there is a causal link. Further details for the UK can be found in appendix four.

Figure 3.2: Trust in the legal system, UK and neighbouring countries, 1997-2006
(Eurobarometer, % tend to trust)



European Social Survey

A final source we use for comparing levels of trust in the legal system is the European Survey. This rather new Europe-wide survey is superior to the previous two sources in terms of comparability of methodology and non-response control. It is a face-to-face survey organised in 20 European countries 'designed to chart and explain the interaction between Europe's changing institutions and the attitudes, beliefs and behaviour patterns of its diverse populations' (www.europeansocialsurvey.org). In the 2002 and 2004 round of data collection we find a specific question on trust in the legal system. Results are shown in table 3.2.

Table 3.2: Trust in the legal system, European Social Survey 2002 & 2004

	2002	2002	2004	2004
	% trust	mean trust	% trust	mean trust
Austria	59.8	6.1	56.8	5.8
Belgium	36.0	4.4	42.3	4.8
Czech Republic	23.7	3.8	22.4	3.7
Denmark	77.3	7.1	78.2	7.2
Estonia			40.3	4.9
Finland	73.9	6.8	76.3	6.9
France	39.7	4.8	36.4	4.8
Germany	55.1	5.7	52.5	5.5
Greece	62.3	6.3	48.0	5.4
Hungary	40.3	5.1	32.0	4.4
Iceland			59.8	6.0
Ireland	43.9	5.1	45.2	5.2
Israel	69.9	6.6		
Italy	52.6	5.5		
Luxembourg	60.1	6.2	60.5	6.1
Netherlands	52.2	5.4	56.3	5.5
Norway	65.5	6.3	67.1	6.4
Poland	19.9	3.7	11.9	3.0
Portugal	27.5	4.3	22.2	3.9
Slovakia			18.9	3.6
Slovenia	30.9	4.3	23.5	3.8
Spain	29.8	4.3	37.6	4.7
Sweden	61.2	6.1	56.1	5.8
Switzerland	63.5	6.2	61.5	6.1
Ukraine			24.2	3.9
United Kingdom	43.3	5.0	44.6	5.1

Source: European Social Survey round 1 (2002) and round 2 (2004). Data is weighted using the design weight variable. N is between 1,300 and 2,900 in all countries, with the exception for Iceland where it is smaller. % trust is the sum of scores 6-10 on the 0-10 scale.

The question used in this survey is: 'Using this card, please tell me on a score of 0-10 how much you personally trust each of the institutions I read out. 0 means you do not trust an institution at all, and 10 means you have complete trust: the legal system'. Table 3.2 shows the mean level of trust, and the percentage of people saying they trust the legal system in their country. This percentage is the sum of all those scoring 6 to 10 on the scale.

With just two years between the two rounds of data collection, of course it makes little sense to try and draw conclusions about changes over time. Nevertheless, it is useful to note that little more than four out of ten UK citizens say they trust the legal system, and that the level of trust in the UK is again around the European average. In 2004, the UK is found on the thirteenth place out of 24 countries, which is slightly worse than Ireland, but better than France. The Scandinavian countries take the first three places. Most Southern and Central- and Eastern European countries do worse than the UK.

The relative position of the justice system within the UK

Above, we have compared levels of trust and confidence in the justice system internationally. Before proceeding to the next chapter, where we will analyse drivers of trust and confidence in the legal system, we will first briefly analyse how citizens' trust in the justice system relates to levels of trust in other institutions.

While in many countries levels of trust in different institutions tend to be rather similar within a country, in certain European countries (e.g., Belgium, Spain, France, Italy, Portugal), trust in the justice system is lower than that in other institutions (Van de Walle, 2004). In these countries the justice system often appears near the bottom of such rankings (Deffigier *et al.*, 2003; Dekker *et al.*, 2004; Van de Walle, 2005). Trust in the justice system is related to trust in other types of institutions. This relationship is different in different countries however. Dekker *et al.* (2004, p.12) found that in the Netherlands, the justice system tends to be closely associated with government in general (civil servants, parliament, but also police), while in countries such as the Southern-European ones or Denmark, there are stronger associations with authority institutions such as police, army and church.

So what is the situation in the UK? The World Values Study data show that the justice system is ranked 7th in a list of institutions in Great Britain (Northern Ireland was surveyed separately). This picture thus seems less pessimistic than might be suggested from some international findings. Roberts attributes this to the absence of major criminal justice scandals in the UK, which have occurred in other countries (Roberts, 2005, p.133).

Table 3.3: Confidence in institutions, World Value Study, 1999-2000

% confidence	Great Britain
Armed forces	83.5
Police	69.6
Education system	66.3
United Nations	60.2
NATO	59.0
Health care system	58.7
Justice system	49.1 (ranked 7/15)
Civil service	45.9
Major companies	40.1
Social security system	36.4
Parliament	35.5
Churches	34.4
Labour unions	28.0
European Union	26.3
Press	15.9

Source: World Values Study, 1999-2000 wave. % 'a great deal' or 'quite a lot' of confidence

Data from the European Social Survey for the UK show a very similar trend. While only seven institutions were included in this survey, trust in the legal system is relatively high. Only the police and the United Nations feature more highly in the ranking. That the police enjoy higher levels of trust than the justice system is also a common finding in other countries (Roberts, 2005, pp.131-2).

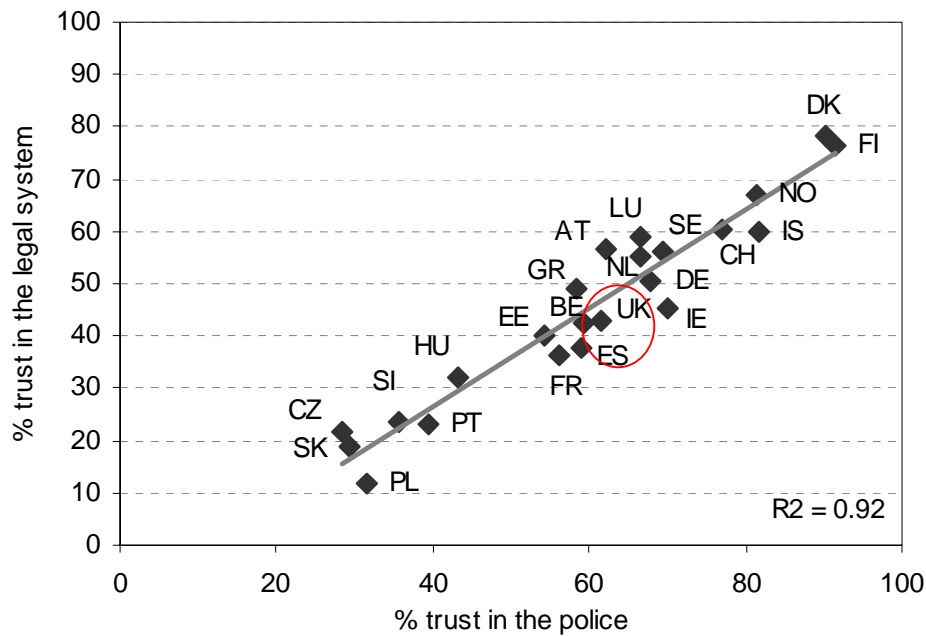
Table 3.4: Trust in institutions in the UK, European Social Survey, round 2, 2004

	% trust	Mean
Trust in the police	62.3	6.1
Trust in the United Nations	46.5	5.2
Trust in the legal system	44.6	5.1
Trust in country's parliament	29.2	4.3
Trust in politicians	19.4	3.6
Trust in the European Parliament	19.2	3.5
Trust in political parties	18.6	3.7

Source: European Social Survey, round 2, 2004. % trust is the sum of scores 6-10 on the 0-10 scale.

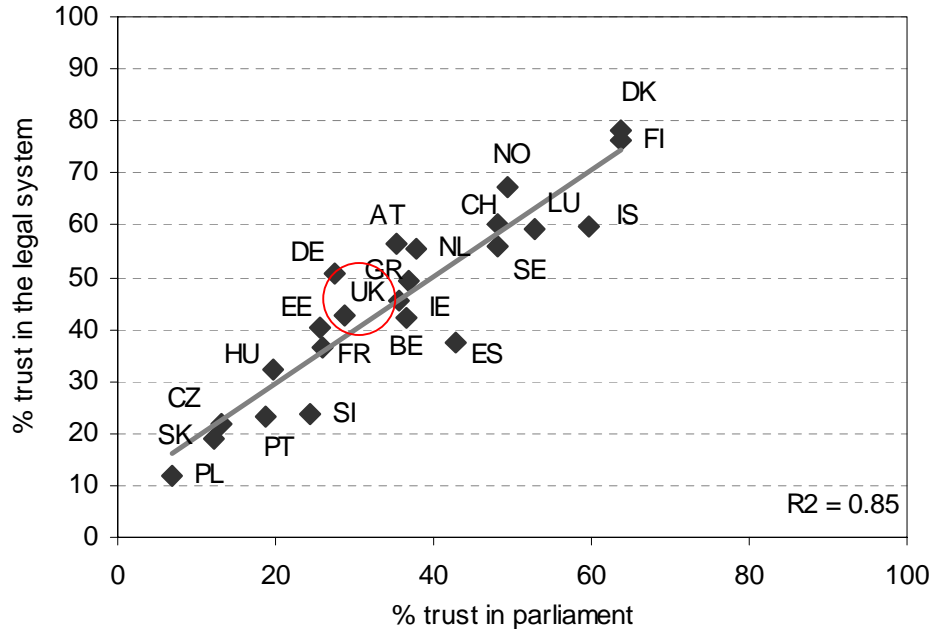
In a final analysis, we expand this comparison to a European scale, and again use the European Social Survey to compare levels of trust in the legal system with levels of trust in two other institutions: the police and the parliament.

Figure 3.3: Scatterplot of trust in the legal system and trust in the police



Source: European Social Survey, 2004; % trust is sum of scores 6-10

Figure 3.4: Scatterplot of trust in the legal system and trust in parliament



Source: European Social Survey, 2004; % trust is sum of scores 6-10

What is apparent in the figures is that high trust in one institution in a country generally coincides with a high level of trust in other institutions. Levels of trust in a country's legal system should therefore not just be seen as a reflection of the legal system's performance.

Summary: what do the international data show us?

The available international survey data shows that the levels of citizen confidence in the justice system in the UK are around the European average. The World Values Survey, however, shows that confidence in the justice system has declined considerably since the early 1980s, and this in many countries. This change is not specific to the justice system, but has occurred for a number of institutions, and some have related it to declining deference to authority.

Comparing the data on the justice system to data on attitudes towards other institutions, however, reveals a number of similarities. When trust in the justice system in a country is low, trust in other institutions is also likely to be low. This suggests that overall attitudes towards the justice system are perhaps more than just a reflection of the justice system's performance and functioning. A higher level of trust in the justice system in country A as compared to country B should not necessarily be seen as proof that the justice system in country A is functioning better than that in country B.

4. What determines trust in the legal system?

What determines trust in the legal system? In the previous chapter we have already shown the differences in levels of trust in the legal system in the countries included in the European Social Survey. Yet, these differences are not always large. What is more interesting, however, is to know whether similar levels of trust in the legal system in two different countries are caused by similar or by different factors. In this chapter, we use data from the European Social Survey to test this. This survey is organised in over 20 European countries and allows for a comparison of attitudes in the UK and that in other countries. It contains a question on citizens' 'trust in the legal system'. We will use the recently released second round data of this survey (N=45,681), which is currently the best and most recent (2004) survey data source for doing this, because it also contains a wide range of background variables related to people's individual, social and political values. The relevant question for our analysis is as follows: 'please tell me on a score of 0-10 how much you personally trust each of the institutions I read out. 0 means you do not trust an institution at all, and 10 means you have complete trust: the legal system'.

We start with a number of bivariate analyses, using chi square tests, to analyse associations between trust in the legal system and variables that have been identified in chapter two as possible drivers. This means that we will each time look at the association between the variable 'trust in the legal system' and one other variable (gender, age...), and use a test to check whether any differences found are also statistically significant. Towards the end of this chapter, we will integrate the differences found in this regard into a single model. Our focus is on overall perceptions of the justice system in the general population. Because of data limitations, we cannot distinguish between citizens with and without recent personal experience of the justice system.

Gender

In seven countries, males and females have different views about the legal system. In Belgium, Denmark, Luxemburg, the Netherlands, Norway, Sweden and Switzerland, women have less trust in the legal system than men. While the differences are statistically significant, they are never very large. In the UK, 43.3% of women trust the legal system (scoring 6-10 on the scale), while this number is 47.1% for men. This difference is not statistically significant.

Age

There are some age effects in the majority of the countries we have studied. There is also considerable diversity, with important differences between different age categories. The most frequent observation is that of a decline in trust with age (Slovenia, Switzerland). In Norway this is expressed in a rapid decline in trust for those over 55. In Estonia this pattern is also to be found, with an additional feature that the 15-25 year olds have considerably higher levels of trust than do other groups. In Finland we see that the group of younger respondents (up to 44) is more trusting than the older, with the absence of a neat trend such as in other countries.

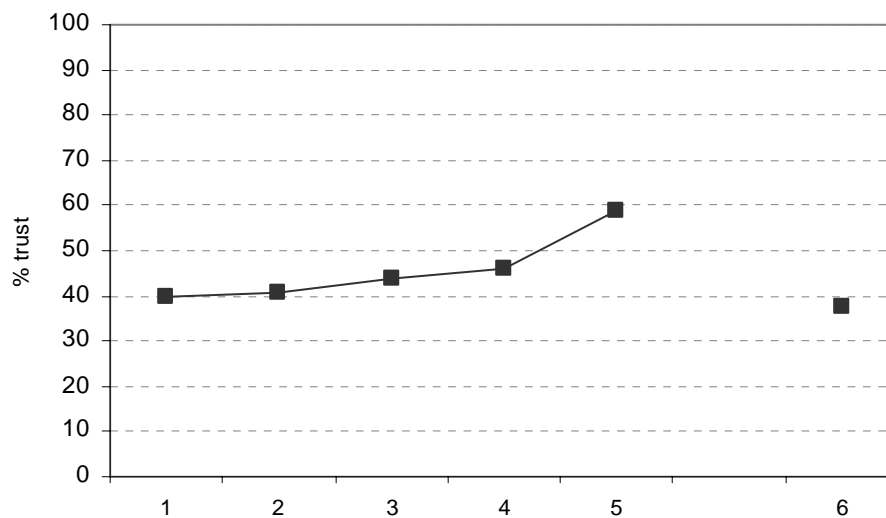
Variations on this general pattern are found elsewhere. In the Czech Republic trust declines with age, until 65 when it increases. In France we see something similar: declining trust with age, but with those over 75 again being more trusting. In Sweden, trust also generally declines with age, although the group of the very young (15-24) has particularly low levels of trust.

In Greece, older respondents have more trust. In Luxemburg, we see a combination of this: the young and the old trust the legal system, while the others do so to a markedly less degree. In the Netherlands, differences are limited. There is no age effect in the UK.

Education

The respondent's level of education is a variable that accounts for variation in levels of trust in several countries. Education was coded differently for the UK, so an identical comparison between the UK and the other countries is not possible. Additionally, there are differences in educational systems and terminology, making an exact comparison difficult. Nevertheless, we are able to extract some general trends from the data. The main trend is that, where there is an effect of education, it tends to be that higher education leads to more trust in the legal system. This is the case for Austria, Belgium, Denmark, Germany, Ireland, the Netherlands, Norway, Slovakia, and Sweden. In some countries, such as Finland or Switzerland, this effect is particularly strong. We find a similar effect in France, where the higher educated have more trust, as do those at the other, lower, end of the education scale. In the Czech Republic it is the lower educated that have most trust in the legal system. Further, there are some mixed effects in Hungary, Poland, and Spain. In the UK, we also find that trust increases with levels of education: of the respondents with no qualifications, 40.0% trusts the legal system, while this increases to 58.7% for those with a higher education.

Figure 4.1: Trust in the legal system in the UK according to level of education

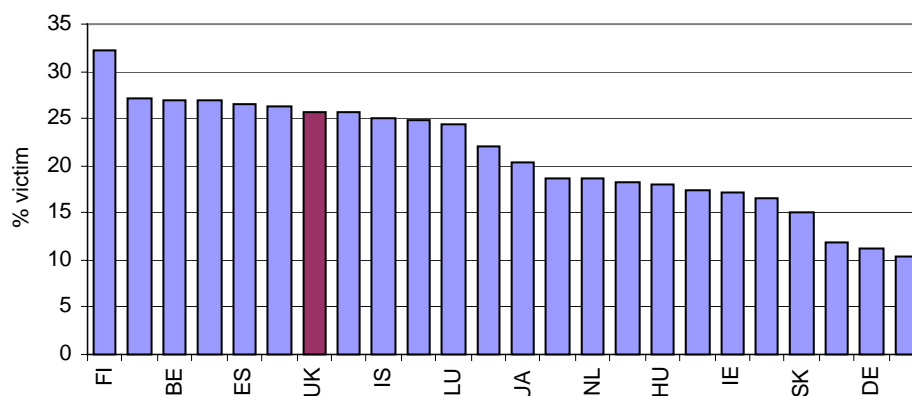


Source: European Social Survey Round 2 (2004). N=1,657. (1 No qualifications; 2 CSE Grade 2-5 \ GCSE Grades D-G or equivalent; 3 CSE Grade 1 \ O-Level \ GCSE Grades A-C or equivalent; 4 A-Level, As-Level or equivalent; 5 Degree \ Postgraduate qualification or equivalent; 6 other)

Victimisation

One of the variables in the European Social Survey is whether the respondent or a member in his/her household has been the victim of a burglary or assault in the last 5 years. We first show the frequency of this happening in the countries under study.

Figure 4.2: Percentage of respondents (or household) having been a victim of burglary and assault in last five years



Source: European Social Survey, round 2, 2004. N=1,750 for the UK. See appendix nine for key to countries

As the figure shows, there are considerable differences between the countries. This may be due to different burglary rates, but also to different interpretations of the concept of 'household', or different recall rates. The saliency of the issue of 'burglary' or 'assault' may also have an impact

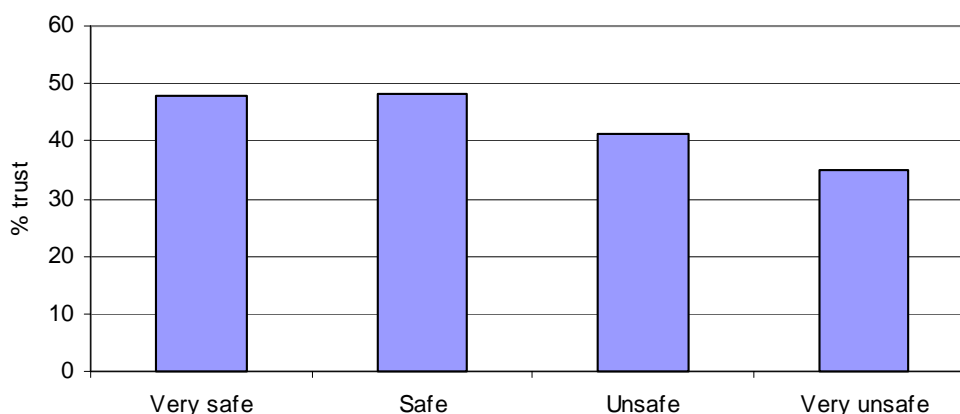
on the answers. There is no relationship between being a victim of a burglary and trust in most countries. Only in Greece is there a significant relationship.

Feelings of safety

Respondents' feelings of safety have an impact on levels of trust in the legal system. Those who feel unsafe when walking alone in their local area after dark have less trust in the legal system. We find this effect in all countries, except Ireland, Poland and Slovakia.

As figure 4.3 shows for the UK, the percentage of people with trust, and that of people without trust is roughly equal for those feeling safe in their neighbourhood when walking alone after dark. Of those feeling very unsafe, 65% has low or no trust in the legal system, compared to 52% of those feeling very safe.

Figure 4.3: Feelings of safety and trust in the legal system in the UK

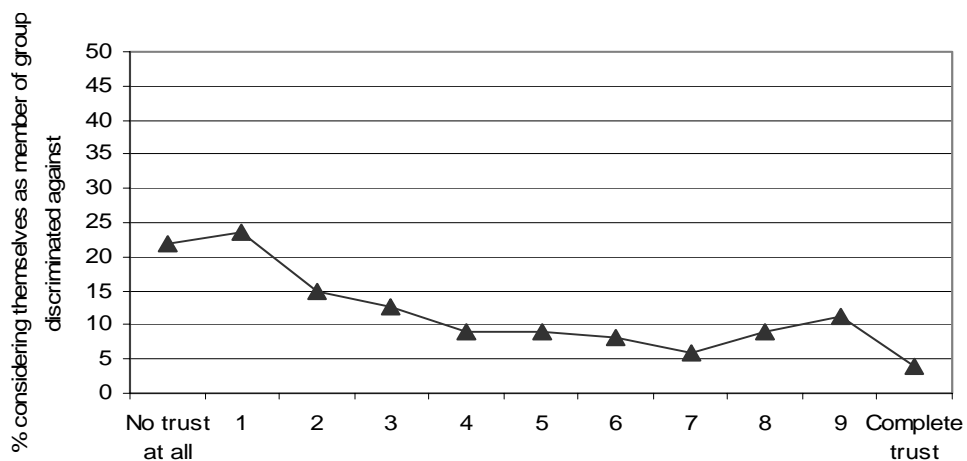


Source: European Social Survey, round 2 (2004), N=1,755

Feelings of discrimination

In the UK, 10.2% of respondents describe themselves as being a member of a group that is being discriminated against for a number of reasons. This is one of the higher percentages in Europe. Further analysis of the data does not reveal major trends relating to the perceived grounds for this discrimination (e.g. race, religion, age), as there are a number of country-specific reasons (e.g. language in Estonia). Respondents who perceive themselves as being part of a group that is being discriminated against have significantly less trust in the legal system in Denmark, Estonia, France, Sweden and the UK. In the UK, in the group of those expressing no trust at all in the legal system, 22% considers him- or herself to belong to a group that is being discriminated against. In the groups with high trust, this percentage is less than half this number.

Figure 4.4: Feelings of discrimination and trust in the legal system in the UK



Source: European Social Survey, round 2 (2004), N=1,762

Interpersonal trust

An aspect that is often looked into when analysing determinants of levels of trust in institutions is interpersonal trust, or trust between people. The reasoning goes that declining trust in institutions is a result of declining interpersonal trust. In the European Social Survey, interpersonal trust was measured using three variables,³ all on a 0-10 scale:

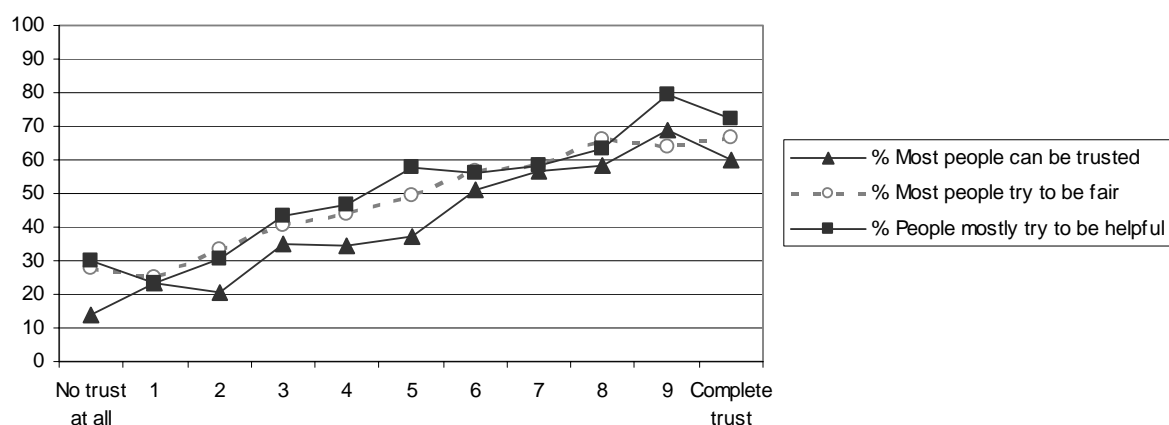
- Would you say that most people can be trusted, or that you can't be too careful in dealing with people?
- Do you think that most people would try to take advantage of you if they got the chance, or would they try to be fair?
- Would you say that most of the time people try to be helpful or that they are mostly looking out for themselves?

This factor has a significant impact on trust in the legal system in all countries.

As far as the UK is concerned, the figure shows that, of those people saying they have no trust at all in the legal system, only 14% think that most people can be trusted, and less than one third think that most people try to be fair, or that people mostly try to be helpful. Among those with higher levels of trust in the legal system, levels of interpersonal trust increase substantially.

³ These three questions load very strong on a single factor, meaning that they appear to measure a similar thing. In the analysis in 4.12 we will therefore not use the results of each of these three questions, but combine them in a so-called 'factor score'

Figure 4.5: Trust in the legal system and interpersonal trust in the UK



Source: European Social Survey, round 2 (2004), N is between 1,752 and 1,762

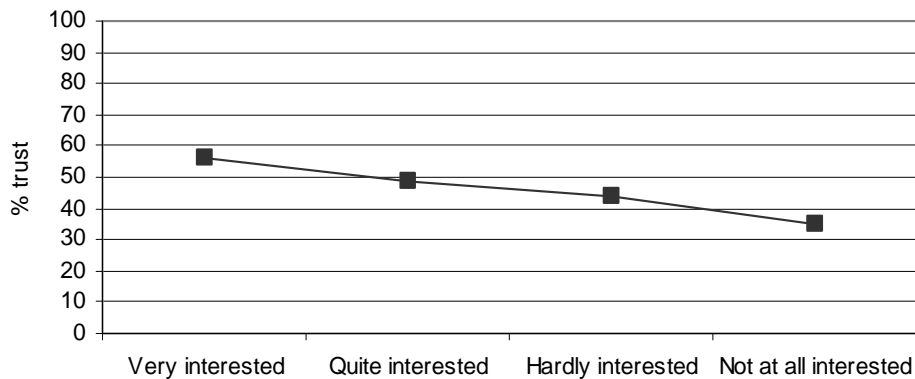
Political self-identification

Those that see themselves at the right of the political left-right scale in these countries have more trust in the legal system in the Czech Republic, Estonia, Finland, Greece, Ireland, Iceland, Luxemburg, Slovakia, and the Ukraine. Political self-identification does not have an effect on trust in the legal system in the UK: 50.8% of those identifying themselves as 'right' on the scale have trust in the legal system. This number is 46.7% for those identifying as 'left'. In another analysis, using World Values Survey data, Dekker *et al.* (2004: 70) earlier found that confidence in the legal system was higher among those identifying themselves as left in most West-European countries except Spain. The effect was the opposite in the Central- and Eastern European countries.

Interest in politics

Citizens' interest in politics is often found to have an impact on trust in institutions, including the legal system (Dekker *et al.*, 2004, pp.77-8). The reasoning behind testing for this effect is that those interested in politics are likely to be more knowledgeable about institutions, and will hold a more sophisticated view of government institutions. Whether or not citizens are interested in politics has an impact on levels of trust in the legal system in the majority of countries (Austria, Belgium, Denmark, Finland, France, Iceland, Ireland, Netherlands, Norway, Spain, Sweden, Switzerland, Ukraine, UK). There are also countries where there is no such effect (Czech Republic, Estonia, Germany, Greece, Hungary, Luxemburg, Poland, Portugal, Slovakia, Slovenia). The numbers for the UK show that of those saying 'not at all' to be interested in politics, two-thirds have 'no' or 'low trust' in the legal system. This is lower at 44% among those stating they were 'very interested' in politics.

Figure 4.6: Interest in politics and trust in the legal system in the UK

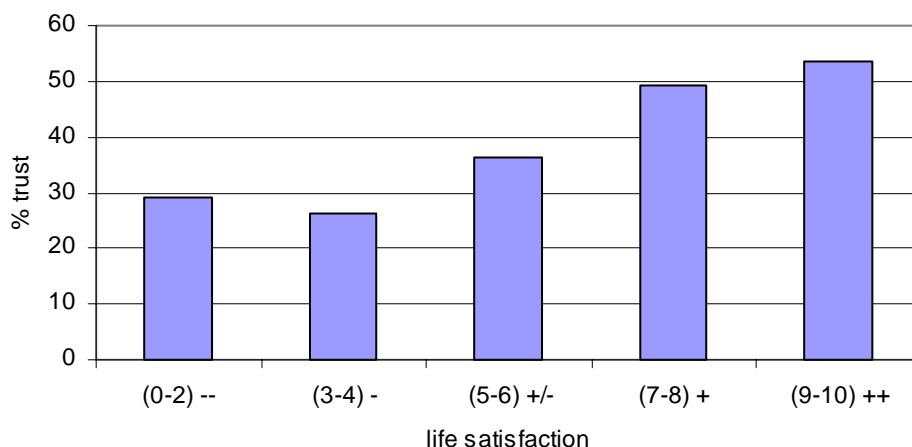


Source: European Social Survey, round 2 (2004), N=1,763

Life satisfaction

For a final test in this analysis, we used a variable on life satisfaction: 'All things considered, how satisfied are you with your life as a whole nowadays?' Answers ranged from extremely dissatisfied to extreme satisfied (0-10 scale). People who are satisfied with their own life have higher trust in the legal system, and we find this effect in every country. Figure 4.7 shows how life satisfaction and trust go together in the UK. In the category of respondents that are very satisfied with their life, 53.5% express trust in the legal system, as opposed to just 45.2% for all respondents.

Figure 4.7: Life satisfaction and trust in the legal system in the UK, % trust



Source: European Social Survey, round 2 (2004). Life satisfaction is measured on a scale from extremely dissatisfied (0) to extremely satisfied (10). Because of small N in some categories, these 11 categories have been grouped together in the figure. N=1,758

A multivariate analysis

The analysis for trust in the legal system has thus far revealed a number of elements that seem to be related to trust in the legal system. For the UK, we see that trust increases with education, and that high levels of life satisfaction, interpersonal trust, feelings of safety, and interest in politics all contribute to higher trust in the legal system, as does not feeling one belongs to a group that is being discriminated against. There is no effect of gender or age, political self-identification, or whether one has recently been a victim of assault or burglary.

However, it is important to identify the interaction between these variables simultaneously, using multivariate analysis, to see if they are able to explain more fully variations in trust levels. A first finding is that the multivariate analysis models do not explain much. The variables in the model perform best in Finland, where they explain only 20% of the variation in trust in the legal system. However, the model explains a mere 6.5% of variation in Ireland, and just a little more in Poland or Austria. The model for the UK explains 14% of the variation in trust.

Gender has an effect in just a few countries: males have more trust in the legal system in Belgium, Denmark, Luxemburg, and the Netherlands. There is no gender effect in the UK. In the UK, respondents with a higher **education** (tertiary education) have more trust in the legal system than do others. This is generally also the case for Ireland, Austria and Switzerland. In Belgium and Germany, those with an upper secondary education are less trusting than other education groups, and in Finland, this is the case for those without a primary education. In Poland, those who achieved the first level of tertiary education have more trust than others. In Norway and France, trust is higher among those without or those with higher (tertiary) education.

There is a small **age** effect in some countries showing that trust declines with increasing age (Belgium, Switzerland, Denmark, Estonia, Finland, France, Luxemburg, Norway). There is an age-effect in the opposite direction in Austria. There is no significant effect of age in the UK. **Feeling unsafe** when walking out after dark has a negative effect on trust in the legal system in Austria, Switzerland, Germany, Denmark, Spain, Hungary, Norway, and Portugal. There is no effect in the UK.

The most important finding in the table is that **interpersonal trust** and **life satisfaction** in all but a few cases are related to trust in the legal system: the more one is satisfied with one's own life, and the more one feels other people can be trusted, the more trustful one is of the legal system. This is also the case for the UK.

People who feel they **belong to a group that is discriminated against** have less trust in the legal system in Denmark, Estonia, and the UK.

Those placing themselves at the right of the **political spectrum** have more trust in the legal system in Luxemburg, Iceland, Ireland, and Estonia. In Finland, those with a neutral political self-identification have less trust in the legal system than do other groups. In Hungary, those with a leftish political orientation have more trust in the legal system. In the UK, political self-identification does not have an effect on levels of trust.

Finally, those who claim to be **interested in politics** have more trust in the legal system in Austria, Switzerland, Denmark, Estonia, Finland, Ireland, the Netherlands, and Norway. Interest in politics has the opposite effect in Germany. There is no effect in the UK.

Summarised, for the UK, the model explains 14% of variation. Some 86% thus remains unexplained. A number of the variables do not have an effect on levels of trust, including gender, age, political self-identification, political interest and feelings of safety. Being less educated is associated with lower trust in the legal system. Feeling one belongs to a group that is being discriminated against leads to a considerable decrease in trust in the legal system. Trust in the legal system is positively associated with trusting other people and with being satisfied with one's life.

Conclusions on trust in the legal system

A number of variables appear to be related to levels of trust in almost all countries. Yet, establishing causal relationships is not as straightforward as might at first seem the case. Life satisfaction, feelings of safety, interpersonal trust, and trust in the legal system appear to be reflecting a common element. This has implications for the further analysis, and for our ability to explain trust in the justice/legal system.

It seems unlikely that trust in the legal system is simply a reflection of the perceived performance of the legal system. Instead, because of the relative broadness of the survey question 'trust in the legal system', it is quite likely that the 'trust in institution' questions reflect a particular mood or general predisposition. This is further corroborated by the fact that the six questions in the European Social Survey on trust in institutions (trust in the legal system, the police, politicians, political parties, the European Parliament, the United Nations) contain a strong common element. As a result, the factors explaining trust in the legal system turn out to be very similar to those explaining trust in other institutions. Following from this, it makes little sense to look at legal-system-specific factors to explain general trust in the legal system.

In the next chapter, therefore, we will make the analysis more specific by focusing on the data from one survey - the British Crime Survey – where a number of more specific questions are asked about perceptions of and experiences with the CJS and about the specific performance of the CJS.

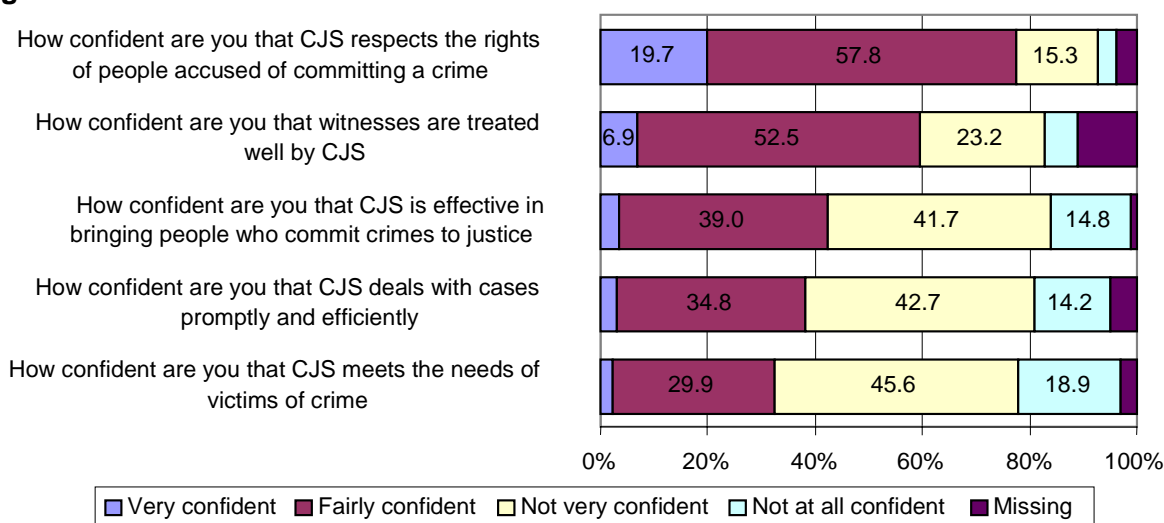
5. Analysis of drivers of confidence in the CJS in England and Wales

As demonstrated earlier, using a general item such as ‘trust in the legal system’ as a dependent variable involves considerable methodological difficulties. Answers to such a generally phrased survey question may be influenced by a wide range of factors. For this reason, we have also analysed a more specific dependent variable. The British Crime Survey (BCS) contains a module on ‘performance of the criminal justice system’. It includes questions on promptness and efficiency, meeting the need of victims, dealing with young people, treatment of witnesses, bringing people to justice etc. The BCS has been used before to analyse confidence in the CJS, as reported in chapter two. While the reporting about the BCS’s and other surveys’ results is generally quite comprehensive, data-analysis of the performance variables has often been limited to simple descriptive statistics and with little multivariate analysis (Allen *et al.*, 2006; Mirrlees-Black, 2001. Some more recent work has included some multivariate analysis, Jansson *et al.* 2007). We start with a basic analysis of the findings and then do a multivariate analysis on the British data, whereby we look at the simultaneous effects of a number of variables.

Confidence in the CJS

The analysis in this section focuses on a number of attitudes related to the performance of the CJS. Data has been collected continuously in 2005-2006, and a total of 47,796 people were interviewed (for reasons of data availability the further analysis will be based on a smaller sample). Sampling was based on households in England and Wales living in private residential accommodation and adults aged 16 and over living in such households.

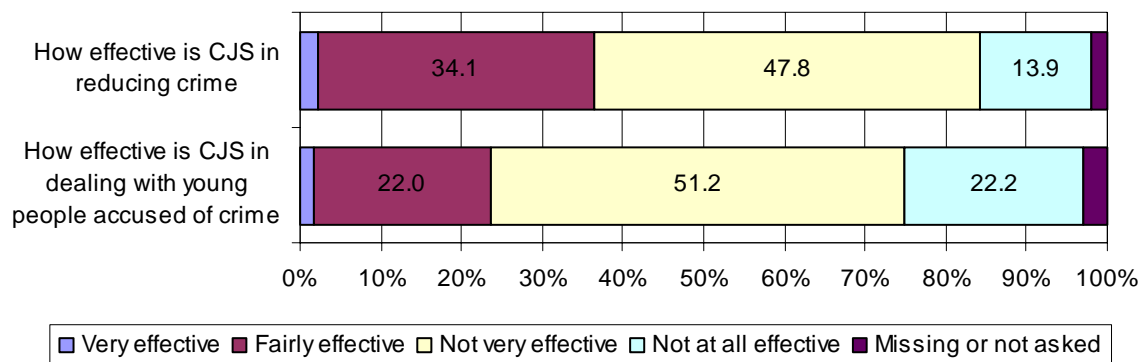
Figure 5.1: Confidence in the CJS



Source: British Crime Survey 2005-2006, (N=47,796)

The results show that a higher proportion of respondents are very confident that the CJS respects the rights of the accused compared to other functions of the CJS such as dealing with cases promptly and efficiently, and in meeting the needs of the victims. Two fairly similar questions were also included, focusing on the CJS's effectiveness in reducing crime and in dealing with young people accused of crime. Especially in the latter case, the CJS was seen as fairly ineffective.

Figure 5.2: Perceived effectiveness of the CJS



Source: British Crime Survey 2005-2006, (N=47,796)

Having a positive opinion on one aspect of the CJS often coincides with having positive opinions on the other aspects (see appendix six for analysis). Respondents who are confident that the CJS meets the need of victims are for instance also very likely to be confident that the CJS is effective in bringing people to justice, or that it deals with cases promptly and efficiently. The only exception is the variable on respecting the right of the accused, where answers appear to diverge from other opinions on the CJS. This means that all these statements probably reflect a common core attitude towards the justice system. For the analysis we have selected four of the seven indicators discussed above that cover the whole of the CJS, without however going into the details of victim needs, witnesses or juvenile justice:

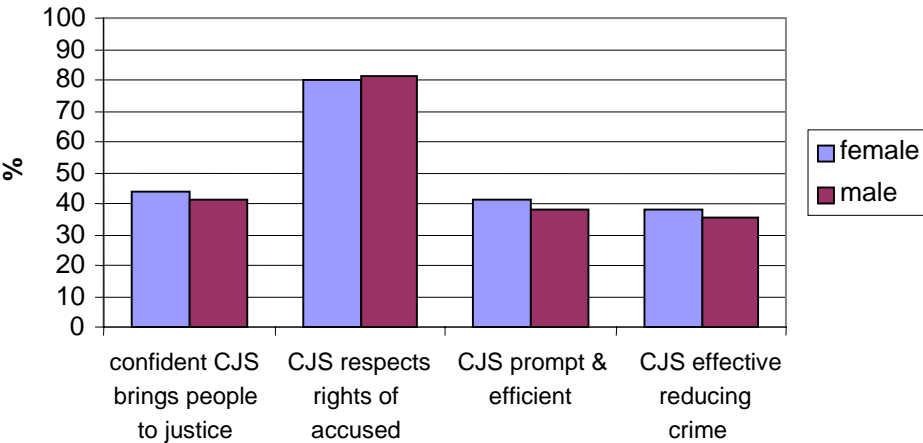
- How confident are you that CJS is effective in bringing people who commit crimes to justice?
- How confident are you that the CJS respects the rights of people accused of committing a crime?
- How confident are you that CJS deals with cases promptly and efficiently?
- How effective is CJS in reducing crime?

The analysis has been performed on a subsample of 6,013 respondents for whom a full set of answers to the relevant questions was available. The model was composed of gender, age, education, and employment (employed, unemployed, inactive), ethnic background, whether one reads newspapers regularly, whether one lives in a rural or an urban area, integration in one's neighbourhood and experience with the CJS, and feelings of safety when walking alone after dark in one's area.⁴ Integration in one's neighbourhood was measured by the number of years resident in the area (a better measure of integration was not possible because the relevant questions were not asked of all respondents). Before starting the main, integrated, analysis, however, we will look at a number of bivariate associations between attitudes towards the CJS and a number of core independent variables.

Gender

There is a small but statistically significant difference in how men and women think about the CJS. Women have a more positive view of the CJS's effectiveness in bringing people accused of crimes to justice and in reducing crime. They are also more confident that the CJS deals with cases promptly and efficiently. At the same time, however, women are less confident that the CJS respects the rights of the accused.

Figure 5.3: Attitudes towards the CJS and gender



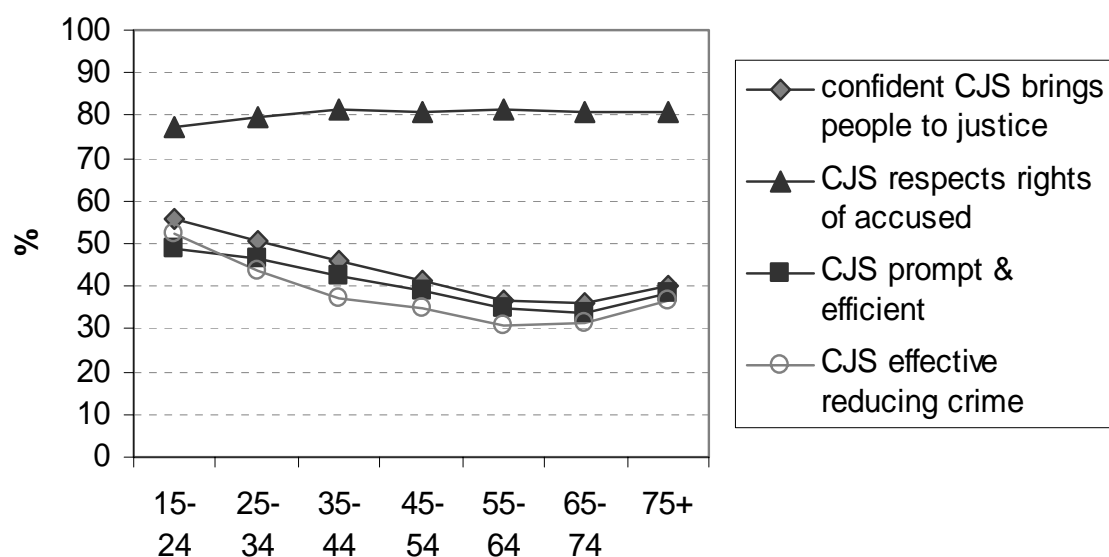
Source: BCS 2005/06, all male/female differences significant. N is between 45,403 and 47,236

⁴ A similar question deals with feelings of safety when walking alone during the day in one's area. Because the results are very similar, we have not included this variable.

Age

As figure 5.4 shows, younger respondents have a more positive view of the CJS's effectiveness in reducing crime and its prompt and efficient functioning. Whereas 49% of the 15 to 24 year olds are confident the CJS deals with cases promptly and efficiently, this drops to 34% for those aged between 65 and 74. Younger respondents are also more confident it brings people who committed crimes to justice. Different age groups still think differently about whether the CJS respects the rights of people accused of committing a crime, but the differences are considerably smaller.

Figure 5.4: Attitudes towards the CJS and age

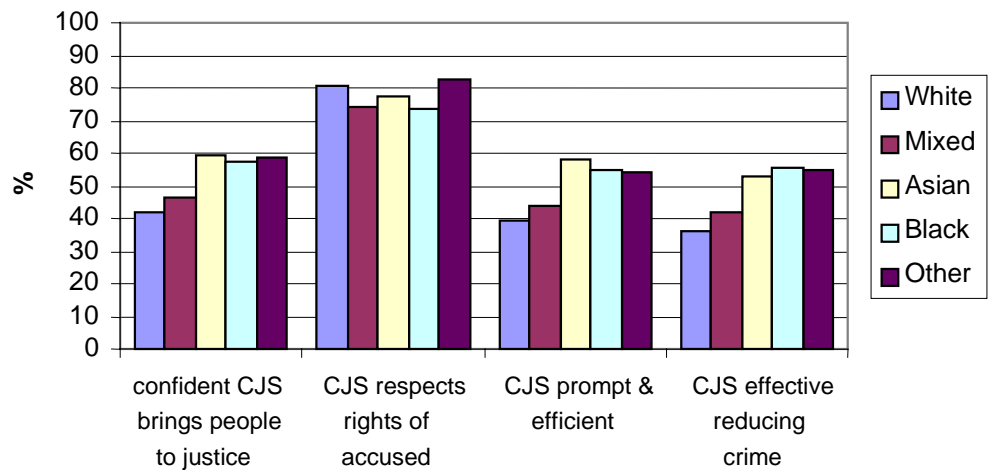


Source: BCS 2005/06, N is between 45,344 and 47,175

Ethnic group

The BCS allows distinguishing between ethnic groups. As the figure (and the analysis) reveals, different ethnic groups think differently about the CJS. The findings, not surprisingly, confirm Brown's (2005, pp.175-6) earlier analysis which showed that that Asian and Black respondents are more positive than White respondents, except where it comes to respecting the rights of the accused.

Figure 5.5: Attitudes towards the CJS and ethnic group

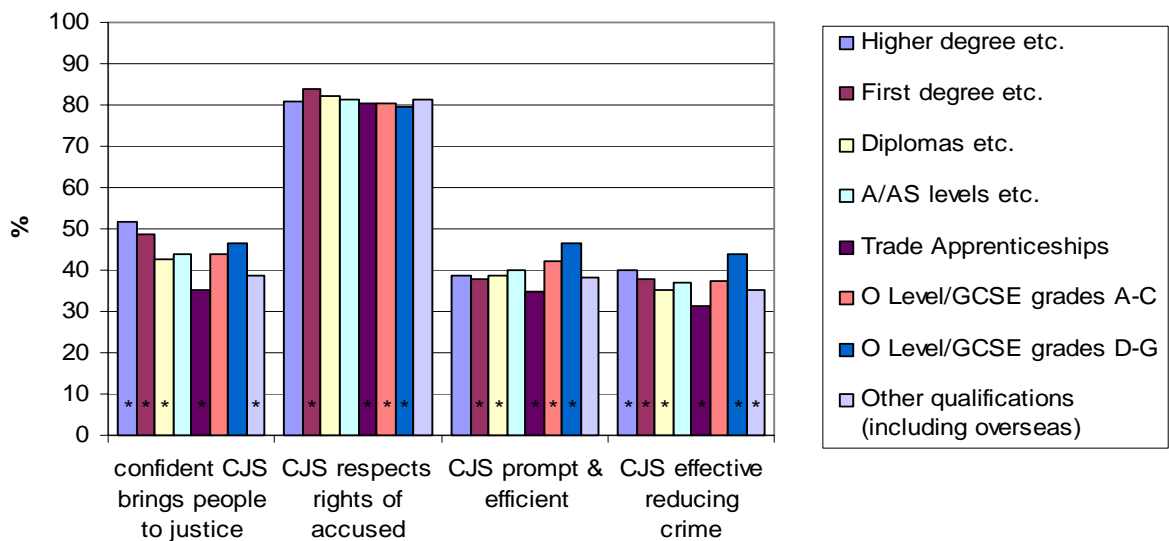


Source: BCS 2005/06, N is between 45,398 and 47,229

Education

There are a number of significant effects of the respondent's education on attitudes towards the CJS. Opinions on whether the CJS respects the rights of the accused only show minor differences across education categories. However, those with a higher education are more confident that the CJS brings people who have committed crimes to justice. Those with lower educational attainment give a more positive evaluation with regard to the promptness and efficiency of the CJS.

Figure 5.6: Attitudes towards the CJS and education

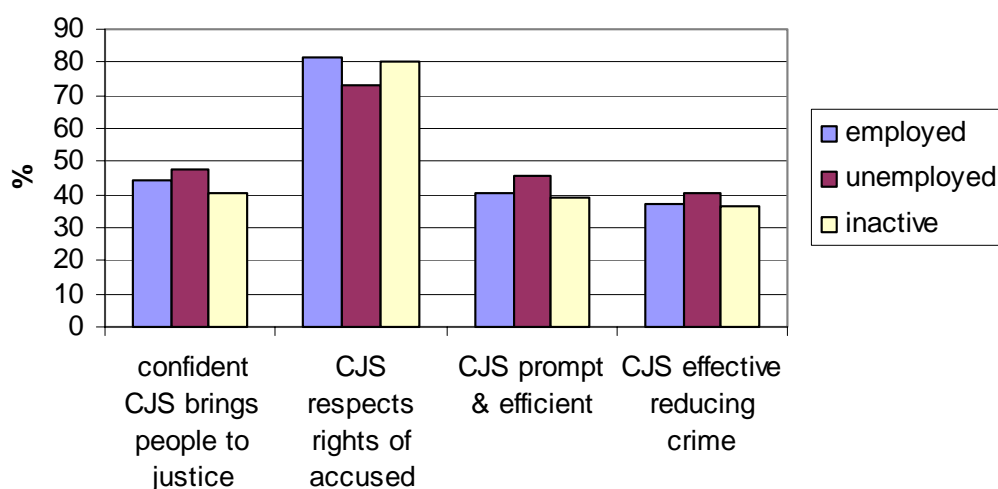


Source: BCS 2005/06, N is between 31,568 and 32,661. * indicates where there is a significant difference from the general population.

Employment

Given different types and sectors of employment, and various reasons why someone is not employed, developing neat categories is not straightforward. In the analysis, we use a very basic distinction: employed, unemployed, and inactive, where the inactive category among others refers to retired or ill respondents and students. The unemployed generally have a more positive attitude towards the CJS, though they are less confident that the CJS respects the rights of the accused. The inactive and the employed are significantly less confident that the CJS will bring people to justice, that it will deliver prompt and efficient service, and that it is effective in reducing crime. Yet, they are more confident that the CJS protects the rights of the accused.

Figure 5.7: Attitudes towards the CJS and employment status



Source: BCS 2005/06, N is between 45,315 and 47,136.

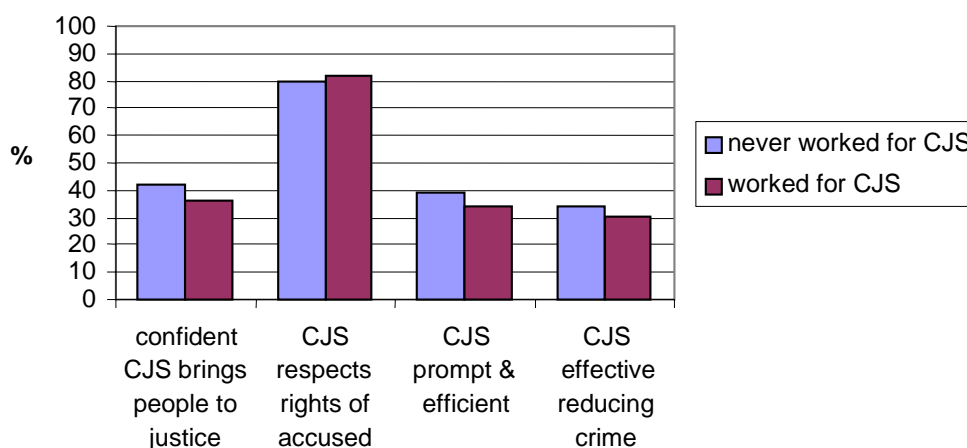
Experience with the justice system

A final analysis before proceeding to the integrated analysis deals with respondents' experience with the justice system. Experience with the CJS is based on whether one has worked for the CJS, whether one has ever been arrested, and whether one has acted as a juror. Other experience variables, such as whether one has been a defendant, or whether one has been in court during a criminal case have been omitted because these experiences tend to go together with those mentioned earlier.

Confidence that the CJS will bring people to justice does is not significantly different between those who have worked for the CJS (6.1% of respondents) and those who haven't. In the other attitudes, we do find small but significant differences, where those who have never worked for the CJS perceive it as being more prompt and efficient, and as more effective in

reducing crime. Part of these effects appears to be due to a higher number of extremely negative attitudes in the groups that has worked for the CJS. Respondents who are working or who have worked for the CJS are in turn slightly more confident that the CJS will respect the rights of the accused.

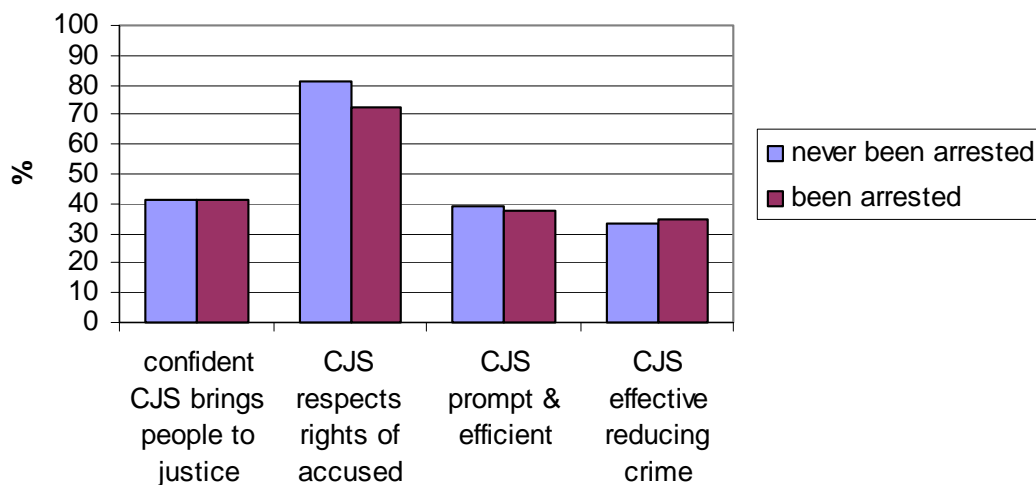
Figure 5.8: Attitudes towards the CJS and working for the CJS



Source: BCS 2005/06, N is between 5,802 and 5,952, depending on missing variables for specific questions

A second variable we used for measuring experience with the CJS is whether the respondent has ever been arrested by the police. This is the case for 10.4% of respondents. There is a significant difference in all four attitudes towards the CJS depending on whether one has ever been arrested. Those who have ever been arrested have, compared to those who haven't, less confidence that the CJS respects the right of the accused, they have less confidence that the CJS will deal with cases in a prompt and efficient way, and they are more likely to be not at all confident that the CJS is effective in bringing people who committed crimes to justice. A detailed analysis reveals that experience has different kinds of effect on attitudes. It sometimes leads respondents to opt for the more extreme answer categories. Having been arrested has different effects on attitudes for different citizens. This probably is an effect of the distance in time to the arrest and the nature of the arrest.

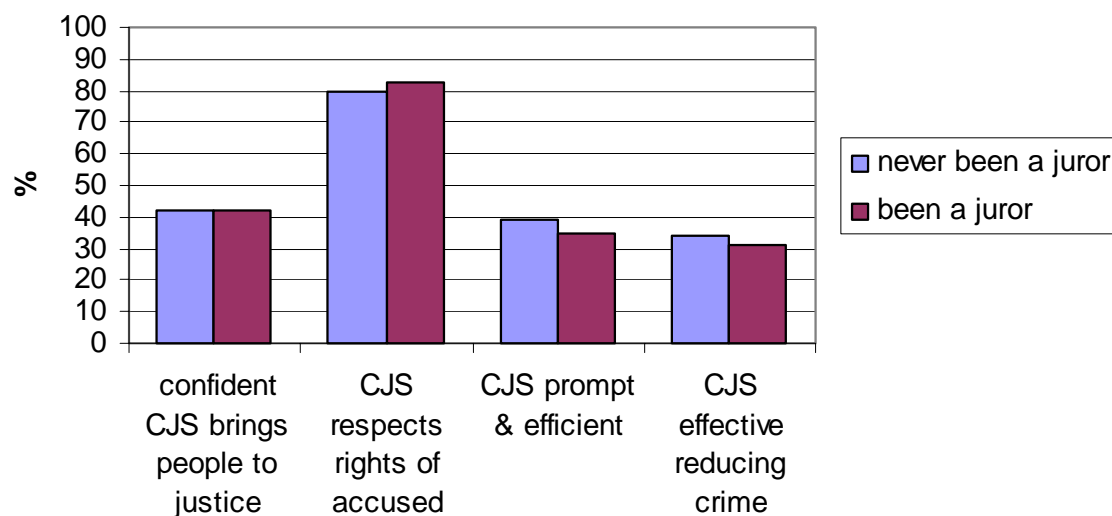
Figure 5.9: Attitudes towards the CJS and having been arrested



Source: BCS 2005/06, N is between 5,733 and 5,951 depending on missing variables for specific questions

Some 11% of the respondents have been a juror. Having been a juror increases confidence in the CJS's respect for the rights of the accused, but it reduces confidence that the CJS will deal with cases promptly and efficiently. There is no effect on perceptions of the CJS's effectiveness in reducing crime, or on confidence that the CJS will bring people who committed a crime to justice. This is an intriguing finding: having been a juror appears to influence opinions on very tangible aspects of the justice system which one encounters while being a juror, while it does not appear to influence other opinions.

Figure 5.10: Attitudes towards the CJS and having been a juror



Source: BCS 2005/06, N is between 11,426 and 11,852 depending on missing variables for specific questions

An integrated analysis

The figures in the previous sections show a great number of significant differences between different groups in society, which is not surprising given the size of the dataset. Some of these differences are rather difficult to interpret, given that certain socio-demographic characteristics are closely associated, such as education and employment. For this reason, we continue the analysis by relying on multivariate statistics, to see how effects may actually interact, and to establish the relative weight of certain effects. For this integrated analysis, we have added some additional variables that have not been dealt with in detail above. These include feelings of safety, whether one reads newspapers, whether one lives in a rural or an urban area, and the length of stay in the area. We used a binary logistic regression (see appendix seven for full results).

As was the case in the previous section, the models again do not explain much of the variation in specific attitudes towards the CJS. We briefly summarise the results for each of the four dependent variables:

Confidence that the CJS brings people to justice. Women and younger respondents are found to be more confident that the CJS is effective in bringing people who commit crimes to justice. There is also a mixed effect of education, whereby higher education relates with greater confidence that the CJS brings people to justice. People who feel safe walking outside after dark have also more confidence in the effectiveness of the CJS in bringing people who commit crimes to justice.

Confidence that the CJS respects the rights of the accused. Men are more confident that the CJS respects the rights of the accused, while those from a mixed ethnic background are less confident. A further finding is that those who have ever been arrested by the police have less confidence that the CJS will respect the rights of people accused of committing a crime.

Confidence that the CJS deals with cases promptly and efficiently. The third model, testing for opinions on the promptness and efficiency of the CJS, returns only one significant effect. The longer one has lived in one's current area, the less confident one is that the CJS will deal with cases promptly and efficiently.

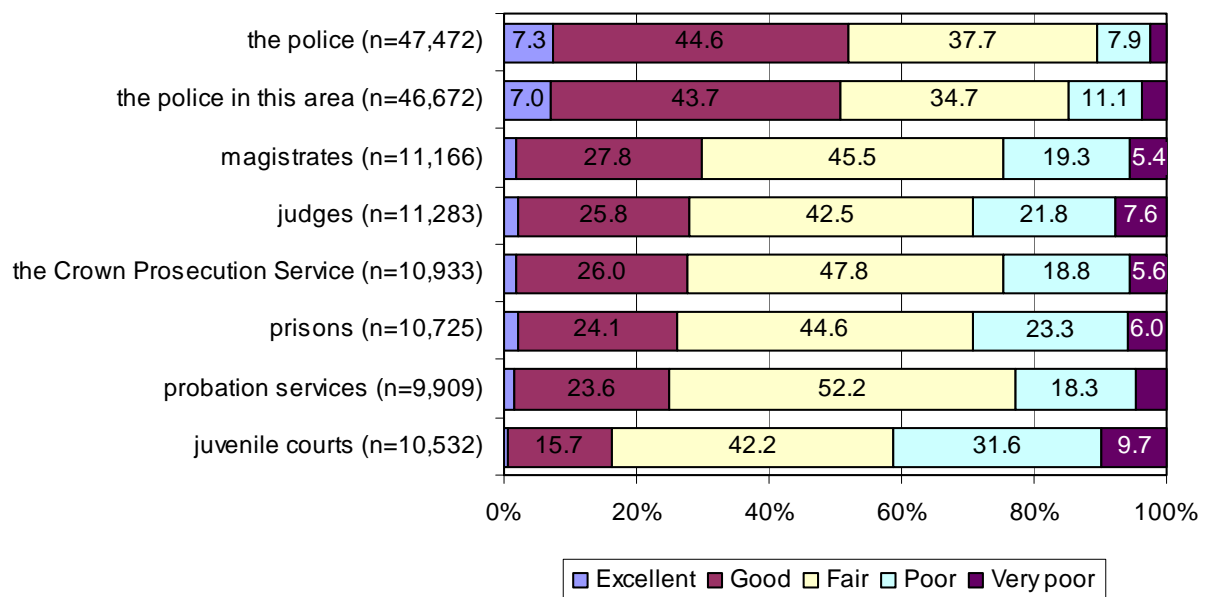
Effectiveness of the CJS in reducing crime. We find a similar effect in the model for the CJS's effectiveness in reducing crime: the longer one lives in one's area, the less one thinks the CJS is effective in reducing crime. Perceptions of the CJS's effectiveness in reducing crime also improve when one feels safe walking outside after dark.

Given the very limited effects in all four models, it makes little sense to directly compare the differences in explanatory factors. One finding that does seem to emerge however, both from the basic analysis above and from the detailed analysis here, is that respondents' confidence that the CJS respects the rights of the accused appears to be influenced by different factors than the other three attitudes. It cannot be established with certainty, however, whether this is a result of the considerably higher number of respondents expressing confidence in this aspect or with a different process in the generation of this attitude. We will come back to this distinction in the conclusions.

Professionals and agencies in the CJS

The models in the previous section were unable to explain much of the variation in certain attitudes towards the CJS. In this section we therefore repeat the exercise for a number of specific agencies and professions within the CJS. One set of questions in the British Crime Survey (2005/06) asked respondents how good a job they felt different agencies and professional groups were doing. The results are in figure 5.11.

Figure 5.11: How good a job do you think ... are doing?



Source: British Crime Survey 2005/06

The police clearly received the best scores, and juvenile courts were found at the bottom of the ranking. In all cases, the 'fair' category was quite substantial, and the number of respondents giving a 'poor' or 'very poor' rating was generally rather limited, except for the juvenile courts. That different elements of justice systems might have been evaluated differently is something that is common in most countries. Roberts (2005) for instance

mentioned that the police generally invoke higher levels of confidence than judges and prosecutors, but that this difference is smaller in some countries than in others. In the UK, for example, there is a considerable gap between how the police and the judges are being evaluated, as the BCS data also show.

For this analysis, we used the same model as in the previous section. The dependent variables on 'experience with the CJS' are not included, because these are not available for this subset of the data. In the analysis, we did not focus on the police. The dependent variables were again necessarily recoded so that 1 stood for 'excellent or good' and 0 for 'fair, poor, or very poor'. We discuss the results below, and the full results can be found in appendix eight. Overall, the models are again quite bad at explaining attitudes. Explained variation is very low, ranging from .019 for the model for probation services to .041 in the model for judges.

There is an effect of **gender**. Here it is noted that women give the Crown Prosecution Service (CPS), magistrates and juvenile courts better scores than men. For prisons, we find the opposite effect, where men are more likely to think prisons are doing a good job.

In terms of age, younger respondents perceive all agencies and professionals (with the exception of magistrates) in a more positive way than do older people.

Respondents from white or mixed **ethnic groups** perceive the CPS, judges, magistrates and prisons (mixed groups only) more negatively than do people from other ethnic groups.

Education has a mixed effect. Higher educated people rate judges and magistrates more positively, while rating prisons and the probation services more negatively.

In terms of employment situation, people in employment (as compared to those who are inactive, e.g. because of being retired, ill, or being a student) evaluate judges, magistrates, prisons, probation services, and juvenile courts more negatively. Unemployed people feel the same about judges, magistrates and probation services.

Those who do not **read newspapers** evaluate the CPS and the probation services in a more positive way.

As was the case in the previous analyses, **feelings of safety** have an important effect in all cases, whereby those who are positive about walking in their area after dark evaluate the different professionals and agencies more positively.

Again, these models show a number of trends, but overall, they do not explain perceptions of these agencies and professionals in the CJS very well. One remarkable finding is that, while the signs of significant parameters are generally in the same direction for most agencies and professional groups, those for prisons are sometimes different. Women and the higher educated are less inclined to think that prisons are doing a good job, while these groups generally perceive the other agencies and professionals in a more positive way. This suggests that the perception of prisons is influenced by slightly different criteria.

6. Conclusions and recommendations

This chapter identifies the main gaps in the existing research and data, and discusses the implications of this report's findings for research and practices. It makes a number of recommendations for future opinion research in the justice system.

Civil vs. criminal justice

Most existing opinion data tends to focus on the **criminal** justice system or the justice system in a more general way. For the civil element of the justice system, there is considerably less data available. Where such information exists, it often consists of localised ad-hoc surveys. When citizens have been asked about the justice system in general, they have usually thought first about judges in criminal cases. This is an internationally significant tendency (e.g. very visible in the Dutch Justice Issues Monitor). In the same way, citizens tend to interpret the word court first and foremost as meaning 'criminal court' (Genn, 1999).

Likewise, most of the common grievances (e.g. the courts being too lenient) are directed at the criminal jurisdiction, and it seems the public does not easily distinguish between criminal and civil cases (Tyler, 1997, p.872). While the available data allows for some in-depth study of attitudes towards civil justice, international comparisons are not easily undertaken due to limited data availability.

General vs. specific attitudes

When interpreting survey research results, it is important to consider carefully the context and details of the survey. Questions on confidence in the justice system as part of a general survey on government and politics, for example, are likely to engender different responses from those in a more focused court satisfaction survey. Not only will the responses be different, but the mental processes through which citizens may formulate their thinking are likely also to be different. Especially in the first case, opinions may reflect attitudes towards government and institutions in general, or even personal contentment or life satisfaction, rather than attitudes specifically about the justice system. As we have seen in the analysis of the European Social Survey data, the context of the survey may also lead to high similarities between variables such as life satisfaction or interpersonal trust, and attitudes towards the justice system. This is not necessarily a reflection of a causal relation; it may simply be a result of different thought processes by which respondents consider general and potentially loose questions (e.g. concerning 'trust in the legal system'). It is therefore important that statistics from such surveys are used appropriately and bearing in mind the

surveys' context and design. This problem is less likely when the respondent is able to relate the question back to a particular personal experience with the justice system.

Experience of the justice system

It is common in many studies to assume citizens have personal experience of the justice system and that this is an explanatory factor for attitudes towards the justice system. Indeed all the evidence indicates that such contact will have an impact on attitudes and perceptions. However, it is hard to predict in what direction this impact will be felt. Differences in attitudes between citizens who have had contact with the justice system and those who have not reflect fundamentally different objects of study. As we have mentioned above, general perceptions and attitudes to specific aspects are likely to be influenced by different factors. Experience of the justice system changes the citizen's frame of reference for formulating attitudes. For citizens who have been in direct contact with the justice system, attitudes about that system are indeed likely to reflect aspects of that experience. However for citizens who have not had such contact, it is considerably harder to predict what aspects of the justice system underlie perceptions. Indeed, attitudes here may be influenced by diverse elements that have little to do with the justice system itself.

In addition, to be useful for research purposes, 'experience' or 'contact' with the courts or justice system needs to be well-specified. Appearing in court as a defendant clearly represents a very different form of experience than that of a witness. Of all survey instruments that we have considered, the British Crime Survey currently provides the most detailed picture, by distinguishing between different types of contact, such as working for the justice system, as a juror or appearing in court as a defendant or as a witness. Given these important differences in the nature of the 'contact', it makes little sense to speak in general terms about 'the' effect of 'contact' with the justice system on attitudes towards it. Studies researching the effects of experience of other public services have also encountered this problem (Van de Walle *et al.*, 2005).

Measuring vs. explaining trust in, and satisfaction with, the justice system

While many surveys to date have mapped a series of basic attitudes towards the justice system, some of them have contained only limited numbers of questions that can be used for explaining attitudes. Ideally, specific attitudes towards the justice system are best considered within a broader context of values (such as individualism, traditionalism, authoritarianism), and social attitudes to crime and punishment. Most surveys contain only a subset of these attitudes. With surveys such as the British Crime Survey, which focus almost exclusively on

crime and the justice system, it is difficult for the researcher to relate opinions cited to the wider context of the respondents' social value systems. Other surveys such as the World Values Survey cover a series of such social issues, but their coverage of the justice system is mostly quite limited with just one or two general questions (e.g. general level of confidence) on the justice system. Other surveys such as the Eurobarometer tend to be weak in their coverage of both aspects.

These deficiencies are entirely understandable given the different academic or policy contexts for which the surveys have been developed. Table 6.1 shows how a number of such surveys in the UK combine specific items related to the justice system with variables related to social values and personal attributes. For the UK, the bottom right quadrant does not contain any major recent survey.

Table 6.1: Coverage of existing survey material in the UK

		Coverage of social and personality related issues	
		Limited	Extensive
Coverage of specific crime and justice system related issues	Limited	Eurobarometer	European Social Survey, World Values Survey, Home Office Citizenship Survey
	Extensive	British Crime Survey, International Crime Victim Surveys, court satisfaction surveys	/

Implications for survey research in the CJS

Citizens' attitudes towards the justice system reflect perceptions about a combination of different elements of which the efficient functioning of the courts is just one. Other elements include perceptions of fairness and due process, and generalised perceptions of the judiciary and the legitimacy of the system. Generalised surveys, such as the European Social Survey, World Values Survey and Eurobarometer examined here, may not be especially helpful as a basis for improving the efficiency of the justice system or for making operational changes. Very specific user surveys are less likely to generate the quality of information needed to explain why the justice system tends to suffer from a generally low public image. Surveys that are designed to feed into communication or marketing campaigns for the justice system will need to be designed differently from specific satisfaction surveys. At the same time, surveys that are to be used to study the basic values underlying the organisation of the justice system require their own specific set of questions.

The overarching message from all this is that survey research on the justice system needs to be carefully organised along distinctive lines. General surveys are unlikely to be particularly useful for detecting and designing specific operational improvements (Van de Walle, 2005). The attitudinal data they generate are likely to be embedded in more general perceptions about government and public institutions, and are therefore unlikely to reveal much about the specific reasons for satisfaction or dissatisfaction with the justice system. Studying very general attitudes towards the justice system (as we have done in this report by focusing on the variable ‘trust in the legal system’) are unlikely to uncover sufficiently specific measures for improvement, although general surveys may remain useful for a number of other purposes.

We conclude therefore by distinguishing between two main reasons for conducting survey research in the justice system, each requiring its own type of survey. One could contribute to the justice system’s general legitimacy as part of an appropriate marketing and communication strategy, and could be used for academic and research purposes. The other could assist in work towards specific improvements of (elements) of the justice system (which can also be important indirectly to the legitimacy of the system).

Reason 1: Researching the justice system’s legitimacy, the determinants of this legitimacy, and strategies for maintaining or improving such legitimacy.

Focus of the research: evaluations of the perceived fairness of the system, with a focus on issues such as equity and equal treatment, perceptions of judges and judicial decision-making, and relations between social, cultural and personal values in general and the perceived values of the justice system.

Reason 2: Researching for improvement in the operational aspects of the justice system, its accessibility, ease of use and efficiency.

Focus of the survey research: measurement at the very basic level, with a focus on operational aspects of the justice system and users’ experience. This can best be done through a mix of instruments, including court satisfaction surveys and specific user focus groups.

References

- Äijaälä, K. (2002). Public sector, an employer of choice -- report on the competitive public employer project. Paris: OECD.
- Allen, J., Edmonds, S., Patterson, A., & Smith, D. (2006). Policing and the criminal justice system - public confidence and perceptions: findings from the 2004/05 British Crime Survey. Home Office Online Report 07/06.
- American Bar Association. (1999). Perceptions of the U.S. Justice System.
- Bastien, F. (1998). Une demande politique de justice: 'Les Français et la justice', ou comment analyser une critique récurrente Centre de recherches administratives et politiques (CNRS). Faculté de droit et de science politique, Université Rennes-I.
- Brown, D. (2005). How does England incorporate the results of public opinion surveys on the administration of justice? S. Parmentier, G. Vervaeke, R. Doutrelepon, & G. Kellens (eds.), Public opinion and the administration of justice: Popular perceptions and their implications for policy-making in Western countries (pp. 169-186). Brussels: Politeia.
- Chapman, B., Mirrlees-Black, C., & Brawn, C. (2002). Improving public attitudes to the Criminal Justice System: the impact of information. Home Office Research Study 245.
- Cloet, B., Biren, P., Vanderhallen, M., Vandekeere, M., Van Win, T., Schoffelen, J., Sintobin, M., Parmentier, S., Vervaeke, G., Doutrelepon, R., Kellens, G., Goethals, J., & Lemaître, A. (2005). Justice in the spotlight. The results of the first Belgian "Justice barometer" . S. Parmentier, G. Vervaeke, R. Doutrelepon, & G. Kellens (eds.), Public opinion and the administration of justice: Popular perceptions and their implications for policy-making in Western countries (pp. 53-75). Brussels: Politeia.
- Cluzel, L., & Sibony, A.-L. (2001). Qualité et évaluation de la justice: Colloque tenu a l'Ecole Nationale de la Magistrature - 21-22 mai 2001: Rapport de synthese. Mission de recherche Droit et Justice & Ecole nationale de la magistrature.
- Cole, G. F. (1993). Performance measures for the trial courts, prosecution and public defense. J. J. Jr. Dilulio, G. P. Alpert, M. H. Moore, G. F. Cole, J. Petersilia, C. H. Logan, & J. Q. Wilson Performance measures for the criminal justice system (pp. 87-107). Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics.
- Commission de gestion du Pouvoir judiciaire. (2002). Enquête de satisfaction des utilisateurs et utilisatrices du Palais de Justice de Genève.

- Cullen, F. T., Fisher, B. S., & Applegate, B. K. (2000). Public opinion about punishment and corrections. Crime and Justice, 27, 1-79.
- Dalglish, D., & Myhill, A. (2004). Reassuring the public: a review of international policing interventions. Home Office Research Study 284.
- Deffigier, C., Gaboriau, S., Marshall, D., Pauliat, H., & Plazy, J.-M. (2003). L'administration de la justice et l'évaluation de sa qualité en France. Strasbourg: Conseil de l'Europe.
- Dejemeppe, B. (2005). Justice et opinion: les enjeux d'une nécessaire cohabitation. S. Parmentier, G. Vervaeke, R. Doutrelepon, & G. Kellens (eds.), Public opinion and the administration of justice: Popular perceptions and their implications for policy-making in Western countries (pp. 159-168). Brussels: Politeia.
- Dekker, P., Maas - de Waal, C., & van der Meer, T. (2004). Vertrouwen in de rechtspraak. Theoretische en empirische verkenningen voor een monitor. Den Haag: Sociaal en Cultureel Planbureau.
- Depré, R., Hondeghem, A., Plessers, J., & Van den Broeck, E. (2003). Quality and justice in Belgium. M. Fabri, P. Langbroek, & H. Pauliat (eds.), The administration of justice in Europe: towards the development of quality standards (pp. 25-48). Bologna: Research Institute on Judicial Systems - National Research Council.
- Flanagan, T. J., & Longmore, D. R. (1996). Americans view crime and justice: A national public opinion survey. Thousand Oaks: Sage.
- Genn, H. (1999). Paths to justice: What people do and think about going to law. Oxford: Hart Publishing.
- Hotaling, G. T., & Buzawa, E. S. (2003). Victim satisfaction with criminal justice case processing in a model court setting. Lowell: Department of Criminal Justice, University of Massachusetts.
- Hough, M. (2003). Modernization and public opinion: some criminal justice paradoxes. Contemporary Politics, 9(2), 143-155.
- Inglehart, R. (1997). Postmaterialist values and the erosion of institutional authority. J. S. Nye, P. D. Zelikow, & D. C. King (eds.), Why people don't trust government (pp. 217-236). Cambridge: Harvard university press.

- Inglehart, R., Basanez, M., Díez-Medrano, J., Halman, L., & Luijkx, R. (2005). Human beliefs and values: a cross-cultural sourcebook on the 1999-2002 values surveys. México: Siglo XXI editores.
- Inglehart, R., Basanez, M., & Moreno, A. (1998). Human values and beliefs: a cross-cultural sourcebook. Political, religious, sexual, and economic norms in 43 societies: Findings from the 1990-1993 World Values Survey. Ann Arbor: The University of Michigan Press.
- Intomart GfK bv. (2005). Justitie Issue MonitorJaarrapport 2005 (JIM 2-JIM 57). Den Haag: Ministerie van Justitie.
- Jansson, K., Budd, S., Lovbakke, J., Mole, S. & Thorpe, K. (2007) Attitudes, perceptions and risks of crime: Supplementary Volume 1 to Crime in England and Wales 2006/07. Home Office Statistical Bulletin.
- Kuhry, B., Smit, P., Backbier, E., & van der Torre, A. (2004). Law and Order. B. Kuhry (ed.), Public sector performance: An international comparison of education, health care, law and order and public administration in 29 Western countries (pp. 185-233). The Hague: Social and Cultural Planning Office.
- Lewis, D. J., & Weigert, A. (1985). Trust as a social reality. Social Forces, 63(4), 967-985.
- Luhmann, N. (1998). Familiarity, confidence, trust: problems and alternatives. D. Gambetta (ed.), Trust: making and breaking cooperative relations (pp. 94-107). Oxford: Basil Blackwell.
- Mirrlees-Black, C. (2001). Confidence in the criminal justice system: findings from the 2000 British Crime Survey. Home Office Research, Development and Statistics Directorate: Research Findings, (137).
- National Center for State Courts. (1999). How the public views the State Courts. presented at the National Conference on Public Trust and Confidence in the Justice System, May 14, 1999, Washington, DC.
- O'Barr, W. M., & Conley, J. M. (1988). Lay expectations of the civil justice system. Law and Society Review, 22(1), 137-162.
- Pache, R., & Fort, E. (2001). Enquête de satisfaction auprès des usagers de la justice. Paris: Mission de recherche Droit et Justice .

- Parmentier, S., Vervaeke, G., Doutrelepon, R., & Kellens, G. (2005). Public opinion and the administration of justice: Popular perceptions and their implications for policy-making in Western countries. Brussels: Politeia.
- Parmentier, S., Vervaeke, G., & Goethals, J. (2004). Justitie doorgelicht : de resultaten van de eerste Belgische justitiebarometer. Gent: Academia Press.
- Raine, J. W., & Dunstan, E. (2006). Personal hearings and public confidence in case adjudication: Lessons from the Parking Adjudication Service. Tribunals, 21-24.
- Reza, B., & Magill, C. (2006). Race and the Criminal Justice System: An overview to the complete statistics 2004–2005. London: Criminal Justice System Race Unit.
- Robert, P. (2005). Opinion publique et administration de la Justice: Recherches françaises. S. Parmentier, G. Vervaeke, R. Doutrelepon, & G. Kellens (eds.), Public opinion and the administration of justice: Popular perceptions and their implications for policy-making in Western countries (pp. 77-90). Brussels: Politeia.
- Roberts, J. V. (2004). Public confidence in criminal justice: A review of recent trends 2004-05. Report for Public Safety and Emergency Preparedness Canada.
- Roberts, J. V. (2005). Public opinion and the administration of justice in Canada: Research findings from two decades. S. Parmentier, G. Vervaeke, R. Doutrelepon, & G. Kellens (eds.), Public opinion and the administration of justice: Popular perceptions and their implications for policy-making in Western countries (pp. 129-146). Brussels: Politeia.
- Roberts, J. V., & Hough, M. J. (2002). Changing attitudes to punishment: public opinion, crime and justice. Cullompton: Willan.
- Roberts, J. V., & Hough, M. J. (2004). Confidence in justice: an international review. ICPR Research paper no.3.
- Roberts, J. V., & Hough, M. J. (2005). Understanding Public Attitudes to Criminal Justice. Buckingham: Open University Press.
- Roberts, J. V., Stalans, L. J., Indermaur, D., & Hough, M. (2003). Penal populism and public opinion: Lessons from five countries. Oxford: Oxford University Press.
- Rottman, D. B., & Tomkins, A. J. (1999). Public trust and confidence in the courts: What public opinion surveys mean to judges. Court Review, (fall), 24-31.

- Schoffelen, J., Parmentier, S., & Vervaeke, G. (2006). Wat denken burgers over justitie? H. Reynaert, S. Van de Walle, & D. Verlet (eds.), Burgers en hun overheid: Naar een DJ-overheid? (pp. 129-156). Brugge: Vanden Broele.
- Shaw, S. (1982). The people's justice: A major poll of public attitudes on crime and punishment. London: Prison Reform Trust.
- Sherman, L. W. (2002). Trust and confidence in criminal justice. National Institute of Justice Journal, (284), 22-31.
- St Amand, M. D., & Zamble, E. (2001). Impact of information about sentencing decisions on public attitudes toward the criminal justice system. Law and Human Behavior, 25(5), 515-528.
- Toharia, J. J. (2005). The evaluation of a system of justice through public opinion: Spain as a case study. S. Parmentier, G. Vervaeke, R. Doutrelepon, & G. Kellens (eds.), Public opinion and the administration of justice: Popular perceptions and their implications for policy-making in Western countries (pp. 109-127). Brussels: Politeia.
- Tufts, J. (2000). Public attitudes toward the criminal justice system. Juristat, 20(12).
- Tyler, T. R. (1997). Citizen discontent with legal procedures: A social science perspective on civil procedure reform. The American Journal of Comparative Law, 45(4), 871-904.
- Tyler, T. R., & Huo, Y. J. (2002). Trust in the law: encouraging public cooperation with the police and the courts (The Russell Sage Foundation Series on Trust . New York: Russell Sage Foundation.
- Van de Walle, S. (2004). Perceptions of administrative performance: the key to trust in government? (diss. doct.). Leuven: Instituut voor de Overheid.
- Van de Walle, S. (2005). Percepties over het gerecht: de praktische (on)bruikbaarheid van hitparades. Orde van de Dag: Criminaliteit en Samenleving, (29), 45-48.
- Van de Walle, S. (2007). Confidence in the civil service: An international comparison. K. Schedler, & I. Proeller (eds.), Cultural aspects of public management reforms (pp. 171-201). Amsterdam: Elsevier.
- Van de Walle, S., Kampen, J. K., & Bouckaert, G. (2005). Deep impact for high impact agencies? Assessing the role of bureaucratic encounters in evaluations of government. Public Performance and Management Review, 28(4), 532-549.

Walker, N., & Hough, M. (1988). Public attitudes to sentencing: Surveys from five countries.
Aldershot: Gower.

Appendix 1: About the datasets

British Crime Survey (BCS)

The British Crime Survey measures the amount of crime in England and Wales and it is also used to assess people's attitudes to crime and towards the CJS. It started in 1982. The survey is composed of several modules. As a result not all respondents answered all questions. In this report, data from 2005-2006 have been used. Source: Home Office. Research, Development and Statistics Directorate and BMRB. Social Research, *British Crime Survey, 2005-2006* [computer file]. Colchester, Essex: UK Data Archive [distributor], December 2006. SN: 5543. The Home Office and the UK Data Archive bear no responsibility for the analysis or interpretation of the BCS data in this report.

Eurobarometer

The Standard Eurobarometer was established in 1973. Each survey consists in approximately 1,000 face-to-face interviews per EU Member State. Conducted between 2 and 5 times per year, with reports published twice yearly. They are commissioned by the European Commission and provide time-series since the early 1970s. Special Eurobarometers are organised on specific topics (http://ec.europa.eu/comm/public_opinion) .

European Social Survey

The European Social Survey is organised in over 20 European countries and is 'designed to chart and explain the interaction between Europe's changing institutions and the attitudes, beliefs and behaviour patterns of its diverse populations' (www.europeansocialsurvey.org). We use the second round (2004) data of this survey (N=45,681). In the UK, there were 1,897 interviews, of which 168 in Scotland, 86 in Wales and 66 in Northern Ireland. Source: Jowell. R. and the Central Co-ordinating Team, European Social Survey 2004/2005: Technical Report, London: Centre for Comparative Social Surveys, City University (2005). Data retrieved from the Norwegian Social Science Data Services (NSD).

European Values Study and World Values Survey

Three waves of surveys in almost all European countries: 1981, 1990, 1999-2000. Last wave in 32 countries (<http://www.europeanvalues.nl>). The World Values Survey grew out of European Values Study and organised an additional wave in 1995. In the recent wave, almost 80 societies have been covered (<http://www.worldvaluessurvey.org>). In the 1999-2000 wave 1,000 people were interviewed in Great Britain and Northern Ireland each.

Appendix 2: Confidence in the justice system (World Values Survey)

The table shows the percentage of people stating they have confidence in their country's justice system, in the subsequent waves of the World Values Survey. The table includes all EU countries except Cyprus, some additional European countries, and Canada, New Zealand, Australia and the USA. Separate surveys were organised for Great Britain and Northern Ireland. The table shows the percentage of respondents expressing a great deal or quite a lot of confidence in the justice system, where confidence was measured on a four-point scale also including **not very much** and **none at all**.

Table A2.1: Confidence in the justice system, World Values Study

% great deal or quite a lot of confidence	1981	1990	1995-1997	1999-2000
EU - 15				
Austria		58.4		68.9
Belgium	57.8	46.5		34.4
Denmark	79.1	79.4		78.5
Finland	83.8	66.3	67.8	65.9
France	56.4	57.5		45.8
Germany				61.5
West-Germany	66.6	65.2	53.7	
East-Germany		41.4	32.3	
Greece				43.7
Ireland	57.5	47.2		54.5
Italy	42.4	31.8		31.5
Luxembourg				58.7
Netherlands	65.1	62.9		48.8
Portugal		44.2		40.6
Spain	48.9	45.9	44.6	42.3
Sweden	73.2	55.9	61.3	61.0
UK - Great Britain	65.7	52.5		49.1
UK - Northern Ireland	67.5	55.8		47.9
EU - new member states				
Czech Republic		45.6		23.3
Estonia		32.8	60.0	32.3
Hungary	88.7	59.6		45.3
Latvia		36.2	37.0	47.2
Lithuania		38.7	20.5	19.3
Malta				45.0
Poland		48.4	48.3	42.0
Slovakia		37.6		35.5
Slovenia		50.8	35.9	43.7
Bulgaria		45.5	35.5	27.8
Romania		47.6		40.1

table continues on next page

% great deal or quite a lot of confidence	1981	1990	1995-1997	1999-2000
Other European				
Iceland	15.7	66.6		73.6
Norway	84.2	75.2	69.2	
Switzerland			66.1	
Other countries				
Australia	60.5		34.7	
Canada	64.5	54.0		
New Zealand			46.6	
USA	53.2	56.8	36.7	

Source: World Values Study dataset, unweighted scores. Please look at this card and tell me, for each item listed, how much confidence you have in them, is it a great deal, quite a lot, not very much or none at all? The justice system.

Appendix 3: Trust in the legal system (Eurobarometer)

The table reports levels of trust in the legal system as measured by the Standard Eurobarometers numbers 48, 51, 54-57 and 59-65, and from the Candidate Countries Eurobarometer 2001, 2002.2, 2003.2 and 2004.1. The table reports the percentage of respondents stating they tend to trust the legal system.

Table A3.1: Trust in the legal system 1997-2005, Eurobarometer

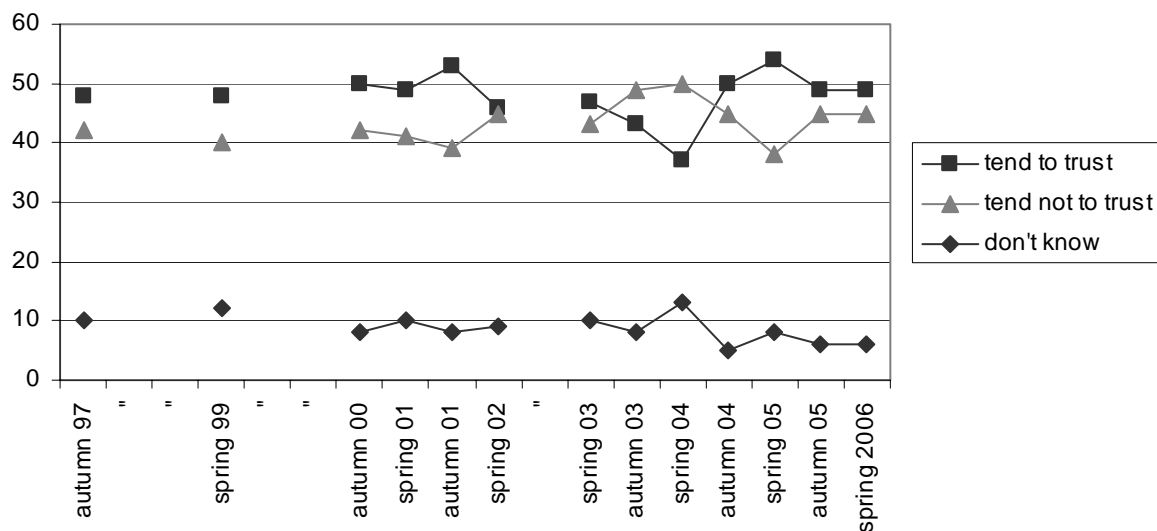
% 'tend to trust'	autumn 97	spring 99	autumn 00	spring 01	autumn 01	spring 02	autumn 02	spring 03	autumn 03	spring 04	autumn 04	spring 05	spring 06
EU 15													
Austria	62	61	69	70	73	69		69	67	68	68	74	73
Belgium	14	22	39	34	37	35		36	34	30	39	48	44
Denmark	72	70	78	74	80	75		80	79	76	79	83	82
Finland	50	61	69	63	69	68		74	68	36	73	78	78
France	36	35	48	41	40	34		43	39	42	39	53	38
Germany	50	52	55	58	61	57		60	55	56	58	58	57
Greece	63	55	61	62	69	61		69	68	73	66	53	55
Ireland	59	49	59	55	61	58		50	48	50	46	52	50
Italy	31	36	35	40	40	44		44	41	46	35	43	45
Luxemburg	51	59	70	56	61	56		55	54	57	55	65	53
Netherlands	54	59	58	60	62	55		62	50	49	57	65	62
Portugal	40	42	32	31	35	35		46	47	36	36	41	40
Spain	39	40	48	42	46	42		43	41	47	45	47	48
Sweden	48	53	62	57	66	58		66	58	57	58	64	63
UK	48	48	50	49	53	46		47	43	37	50	54	49
EU 15 average	43	45	50	49	51	48		51	47	48		53	50
New member states													
Cyprus					64		66	69		66	61	64	53
Czech Republic					35		33	30		29	32	32	35
Estonia					39		38	43		41	44	49	49
Hungary					46		47	45		47	52	50	55
Latvia					29		28	33		29	34	37	32
Lithuania					22		23	25		27	28	30	23
Malta					40		37	46		46	37	45	46
Poland					29		34	27		21	16	23	29
Slovakia					15		17	18		16	27	27	29
Slovenia					33		34	27		30	27	34	32
Bulgaria					23		21	16		18	20	20	20
Romania					29		30	28		29	26	35	34

Source: Eurobarometer; Answer options were trust, don't trust, and don't know

Appendix 4: Trust in the justice system in the UK, detailed Eurobarometer findings

In addition to the Eurobarometer data already pictured in figure 3.2 and table A3.1, figure A4.1 presents a breakdown of Eurobarometer findings for the UK. The question asked is 'I would like to ask you a question about how much trust you have in certain institutions. For each of the following institutions, please tell me if you tend to trust it or tend not to trust it'. In certain years, trust in the justice system was measured in spring and in autumn, but some years have been skipped.

Figure A4.1: Trust in justice/the British legal system 1997-2006 (Eurobarometer)



The report on the spring 2006 provides a short analysis of the socio-demographics related to these scores. We copy these result *verbatim* below:

'There were no noteworthy trends in the socio-demographic data referring to gender or age. However, substantial variations are seen based upon the respondents' education level. Accordingly, 38% of those educated to age 15 or less trust the legal system compared with 48% of those educated to 16 to 19 and 70% of those aged educated to age 20 or more. As might be expected this is reflected in the occupation statistics where the legal system is trusted by nearly three-quarters (71%) of managers compared with just 45% of manual workers. (source: Eurobarometer 65, Spring 2006, United Kindom National Report)

Appendix 5: Determinants of trust in the legal system (European Social Survey)

For the analysis, we have recoded 'trust in the legal system' into a binary variable where 1 = trust (scores 6-10) and 0 = no or low trust (scores 0-5). This obviously resulted in a loss of data, and we only explain the direction of the attitude, not the strength. Determinants of direction and strength may be different (Van de Walle, 2007). As independent variables we have used a selection of the variables where we frequently found associations in the bivariate analysis: gender, education, age, feelings of (un)safety, interpersonal trust, life satisfaction, feelings of discrimination, political self-identification and political interest. For interpersonal trust we use a factor based on the three variables mentioned in chapter four (p.28). Because of minor differences in coding, the results for the UK are reported separately. The tables below show on the detailed findings of the multivariate analysis using European Social Survey data, reported in chapter four. In the data for the UK, education was coded differently. We therefore present the results of the regression for the UK separately.

$$Y_i = f(\text{gender, education, age, feelings of safety, interpersonal trust, life satisfaction, feelings of discrimination, political self-identification and political interest})$$

Table A5.1: Binary logistic regression for trust in the legal system

	AT	BE	CH	CZ	DE	DK	EE	ES	FI
Gender ^a	.026	.356**	.163	.033	.140	.406*	-.145	.151	.234
Educ. no prim. ^a	-.624	-.839	-1.508*	2.411		.116	.564	1.185	-1.869*
Educ. primary	-.618**	-.350			-.584	.306	.267	1.482	-1.270
Educ. low. sec.	-.486*	-.156	-1.520**	1.897	-.731	-.720	.274	1.337	-1.096
Educ. upper sec.	-.581*	-.356*	-1.427**	1.468	-.954*	-.579	.261	1.603	-.965
Educ. post sec.	-.177		-1.401*	1.751	-.626	-.003	.507	.919	
Educ. 1st tert		-.064	-1.117*	1.660	-.722	.242	.305	1.756	-.453
Age	.006*	-.010**	-.017***	-.006	-.004	-.010*	-.011**	.007	-.016***
Feelings of safety	.341*	.209	.296*	-.114	.364**	.440*	.204	.359*	.304
Interpersonal trust	.202***	.463***	.360***	.543***	.407***	.679***	.466***	.332**	.625***
Life satisfaction	.122***	.097**	.142***	.208***	.109***	.024	.153***	.029	.122**
Discrimination	.043	-.161	.290	-.155	.202	1.040**	.531*	.310	-.166
Pol. self-id. - left ^a	-.258	.199	-.179	-.187	.079	-.263	-.591**	-.380*	-.289
Pol. self-id. - neutral	-.060	.052	-.074	-.093	-.081	-.136	-.439**	-.182	-.281*
Political interest	.269*	.147	.308*	-.117	-.269**	.521**	.376**	.202	.646***
Constant	-.738	-.444	.521	-3.434*	-.110	-.735	-1.984*	-3.205*	1.925*
% correct predictions	61.9	64.1	65.0	76.4	62.5	81.1	56.6	61.0	79.8
Nagelkerke R ²	.077	.115	.122	.136	.106	.196	.176	.076	.199

Table A5.1 continued

	FR	HU	IE	IS	LU	NL	NO	PL	PT
Gender ^a	.130	-.045	.118	.137	.584***	.238*	.144	-.234	.160
Educ. no prim. ^a	-.246	.288	-.903*		-1.093	-.468	2.659	-.416	1.102
Educ. primary	-.544*	-.471	-.486	-1.437*	-.232	-.915		.367	1.003
Educ. low. sec.	-.558**	-.608	-.746**	-.421	-.285	-.962	-.705**	.104	1.173
Educ. upper sec.	-.618*	-.546	-.638*	.007	-.562	-.758	-.914***	.038	1.039
Educ. post sec.	-.527*	-.002	-.489*	-.459	-.475	-.740	-.516*	.192	
Educ. 1st tert	-.328	-.382	-.303	-.261	-.138	-.123	-.024	1.391**	1.368
Age	-.008*	-.003	-.002	.009	-.015***	-.004	-.014***	.007	-.003
Feelings of safety	.166	.335*	-.053	.728	-.083	.158	.366*	.138	.359*
Interpersonal trust	.441***	.547***	.230***	.663***	.475***	.477***	.410***	.442***	.088
Life satisfaction	.113***	.074*	.086*	.097	.103**	.111**	.058	.095*	.222***
Discrimination	.364	.058	.041	.262	.356	-.007	.198	.667	.460
Pol. self-id. - left ^a	.005	.430*	-.490*	-1.126**	-.651**	.114	-.284	.166	-.086
Pol. self-id. - neutral	-.152	.175	-.173	-.726*	-.606***	-.024	-.207	.222	.206
Political interest	.044	-.069	.398***	.249	.087	.512***	.408**	-.014	.054
Constant	-1.236*	-1.009	-.211	-1.113	.184	-.179	.737	-4.429***	-4.590**
% correct predictions	65.1	67.0	59.2	68.4	65.8	65.2	71.3	85.5	73.3
Nagelkerke R ²	.120	.121	.065	.196	.131	.167	.148	.081	.084

Source: European Social Survey, second round. Table shows parameters, *p<.050, **p<.005, ***p<.001; ^a Male, the upper level of education, and a rightish political orientation are reference categories respectively. Because of minor differences in the coding of education, some categories were not available for all countries.

Table A5.2: Determinants of trust in the legal system in the UK

	B	Exp(B)
Gender ^a	.037	1.038
Educ. no qual. ^a	-.718***	.488
Educ. low	-.466*	.628
Educ. eq. O-level	-.428*	.652
Educ. eq. A-level	-.474*	.622
Age	-.005	.995
Feelings of safety	.109	1.115
Interpersonal trust	.488***	1.629
Life satisfaction	.129***	1.138
Discrimination	.632**	1.881
Pol. self-id. - Left ^a	-.030	.971
Pol. self-id. - Neutral	-.132	.876
Political interest	.180	1.198
Constant	-1.743***	.175
% correct predictions	63.9	
Nagelkerke R ²	.140	

Source: European Social Survey, second round. *p<.050, **p<.005, ***p<.001; ^a Male, the upper level of education, and a rightish political orientation are reference categories respectively.

Legend for 'education' in the tables:

For the UK

Educ. no qual.	No qualifications
Educ. Low	CSE Grade 2-5 \ GCSE Grades D-G or equivalent
Educ. eq. O-level	CSE Grade 1 \ O-Level \ GCSE Grades A-C or equivalent
Educ. eq. A-level	A-Level, As-Level or equivalent
Educ. Degree	Degree \ Postgraduate qualification or equivalent

Other European countries

Educ. no prim.	Not completed primary education
Educ. primary	Highest education is primary or first stage of basic
Educ. low. sec.	Highest education is lower secondary or second stage of basic
Educ. upper sec.	Highest education is upper secondary
Educ. post sec.	Highest education is post secondary, non-tertiary
Educ. 1st tert	Highest education is first stage of tertiary
Educ 2nd ter.	Highest educ is Second stage of tertiary

Appendix 6: Perceptions of the CJS: correlations and factors

There are quite high correlations between the items used as dependent variables in chapter five, as the table below shows.

Table A6.1: Kendall's Tau-b correlations

	meets the needs of victims of crime	respects rights of people accused of crime	deals with cases promptly and efficiently	witnesses are treated well by CJS	effective reducing crime	effective dealing with young p. accused of crime
effective in bringing people who commit crimes to justice	.590**	.088**	.468**	.361**	.524**	.456**
meets the needs of victims of crime		.059**	.452**	.379**	.480**	.446**
respects rights of people accused of crime			.128**	.120**	.056**	.040**
deals with cases promptly and efficiently				.395**	.433**	.398**
witnesses are treated well by CJS					.348**	.321**
effective reducing crime						.577**

Source: BCS 2005/06, N= ca. 47,796. **Correlation significant at the 0.01 level (2-tailed).

These high correlations are further confirmed by a Principal Components Analysis. All items load heavily onto a single factor, except for 'respect for the rights of the accused'. A single factor explains 50.8% of variation.

Table A6.2: Principal components analysis of 7 BCS items

	Component
How confident are you that CJS is effective in bringing people who commit crimes to justice	.812
How confident are you that CJS meets the needs of victims of crime	.795
How confident are you that CJS respects the rights of people accused of committing a crime	.274
How confident are you that CJS deals with cases promptly and efficiently	.752
How confident are you that witnesses are treated well by CJS	.653
How effective is CJS in reducing crime	.798
How effective is CJS in dealing with young people accused of crime	.752

Source: BCS 2005/06

Appendix 7: Regressions for attitudes towards the CJS

Because the dependent variables in the analysis were all ordinal (using an ordinal scale ranging from very confident to not at all confident), an ordinal regression is suggested by the data. However, frequent violation of the parallel lines assumption in the analysis required us instead to rely on other techniques. We therefore used binary logistic regression. This resulted in a loss of detail in the dependent variables (which were recoded as confident/not confident and effective/not effective respectively). All four models had a good fit (Hosmer-Lemeshow test), yet R^2 in all cases was very limited. The results are in table A7.1.

Table A7.1: Determinants for attitudes towards the CJS

		confident that CJS is effective in bringing people who commit crimes to justice		confident that CJS respects the rights of people accused of committing a crime		confident that CJS deals with cases promptly and efficiently		CJS effective in reducing crime	
		B	Exp(B)	B	Exp(B)	B	Exp(B)	B	Exp(B)
gender (0 female, 1 male)		-.166*	.847	.231*	1.260	-.071	.931	-.097	.908
age		-.006*	.994	.004	1.004	.000	1.000	-.002	.998
ethnic group ^a	White	-.516	.597	-.602	.548	-.147	.863	-.514	.598
	Mixed	-.595	.552	-1.501*	.223	.332	1.394	-.497	.608
	Asian	-.218	.804	-.814	.443	.309	1.362	-.065	.937
	Black	-.483	.617	-.940	.391	.198	1.219	-.241	.786
education	higher degree etc.	.445*	1.560	.034	1.034	.062	1.064	.239	1.270
	first degree etc.	.201	1.223	.174	1.191	-.222	.801	.043	1.044
	Diplomas	.330*	1.390	.194	1.214	.043	1.044	.052	1.053
	A/AS levels	.324*	1.382	.165	1.180	.111	1.117	-.001	.999
	trade apprenticeships	.124	1.132	.080	1.084	-.206	.814	-.086	.918
	O level/GCSE A-C	.251	1.286	-.011	.989	.162	1.175	.078	1.081
	O level/GCSE D-G	.333	1.395	-.120	.887	.338	1.402	.224	1.251
employment ^a	Employed	-.122	.885	-.019	.982	.092	1.096	.015	1.015
	Unemployed	-.100	.905	-.243	.785	.579*	1.785	.119	1.127
reading newspaper		-.103	.902	.005	1.005	-.087	.916	-.038	.963
rural/urban area (0/1)		-.014	.986	-.142	.868	.074	1.077	.028	1.029
number of years living in area		-.040*	.961	-.009	.991	-.045*	.956	-.066**	.936
ever worked for the CJS		-.177	.838	-.015	.986	-.190	.827	-.114	.892
ever been arrested		.011	1.011	-.501***	.606	-.030	.971	.156	1.169
ever been a juror		.194	1.214	.030	1.030	-.207	.813	-.157	.855
safe to walk after dark		.312***	1.367	.010	1.010	.107	1.113	.186*	1.204
Constant		.465	1.591	1.930**	6.888	-.247	.781	.084	1.088
R^2		.024		.019		.021		.019	
% correct predictions		57.60%		81%		62.70%		66.50%	

Source: British Crime Survey 2005/06. Based on N=6,013. Table shows parameters and odds, * $p < 0.050$, ** $p < 0.005$, *** $p < 0.001$; ^a Other ethnic group, other education, and inactive are left out.

Appendix 8: Determinants of attitudes towards agencies and professionals in the CJS

Table A8.1: Determinants of attitudes towards agencies and professionals in the CJS

		CPS		Judges		Magistrates		Prisons		Probation services		Juvenile Courts	
		B	Exp(B)	B	Exp(B)	B	Exp(B)	B	Exp(B)	B	Exp(B)	B	Exp(B)
gender (0 female, 1 male)		-.252***	.777	-.028	.972	-.134*	.875	.208**	1.231	-.025	.976	-.197*	.821
age		-.004*	.996	-.009***	.991	-.001	.999	-.010***	.990	-.005*	.995	-.014***	.986
ethnic group ^a	white	-.763**	.466	-.821**	.440	-.754**	.471	-.433	.649	-.302	.739	-.427	.653
	mixed	-1.504**	.222	-1.592**	.203	-1.909***	.148	-1.168*	.311	-.884	.413	-.724	.485
	Asian	-.164	.848	-.271	.762	-.133	.875	-.073	.930	-.056	.945	.017	1.017
	black	-.115	.892	-.215	.806	.090	1.094	.174	1.190	.476	1.610	.419	1.521
education	higher degree etc.	.041	1.042	.556***	1.743	.594***	1.812	-.412*	.663	-.152	.859	-.230	.795
	first degree etc.	-.013	.987	.529***	1.697	.529***	1.697	-.435*	.648	-.293*	.746	-.108	.897
	diplomas	-.154	.857	.129	1.138	.193	1.213	-.146	.864	-.261	.770	-.280	.756
	A/AS levels	.056	1.057	.316*	1.372	.287*	1.332	-.175	.839	-.061	.940	-.090	.914
	trade apprenticeships	-.127	.880	-.277	.758	-.300*	.741	-.027	.973	-.318*	.728	-.284	.753
	O level/GCSE A-C	.047	1.048	.140	1.150	.146	1.158	.009	1.009	-.086	.917	-.221	.802
	O level/GCSE D-G	.122	1.130	.240	1.271	.193	1.213	.007	1.007	.053	1.054	.027	1.027
employment ^a	employed	-.061	.940	-.284***	.753	-.194**	.824	-.143*	.866	-.248***	.781	-.430***	.651
	unemployed	-.234	.791	-.635**	.530	-.739**	.478	-.204	.815	-.479*	.620	-.435	.647
reading newspaper		-.126*	.882	-.042	.959	.012	1.012	.033	1.034	-.093	.911	-.029	.971
rural/urban area (0/1)		.040	1.041	-.065	.937	-.064	.938	.024	1.024	.058	1.060	-.028	.972
number of years living in area		-.048**	.953	.003	1.003	-.017	.983	-.003	.997	-.047**	.954	.011	1.011
safe to walk after dark		.233**	1.263	.402***	1.494	.308***	1.361	.185*	1.203	.189*	1.208	.405***	1.499
Constant		.224	1.251	.077	1.080	-.097	.908	-.243	.784	-.164	.849	-.387	.679
R ²		.026		.041		.037		.023		.019		.031	
% correct predictions		72.2%		69.9%		68.0%		74.7%		75.3%		83.8%	

Source: British Crime Survey 2005/06. Based on N=6,013. Table shows parameters and odds, *p<0.050, **p<0.005, ***p<0.001; ^a Other ethnic group, other education, and inactive (i.e. not in the employed or unemployed category - sick, student, retired...) are left out. Analysis based on an N between 6,510 and 7,242.

Appendix 9: Abbreviations

CJS Criminal Justice System

CPS Crown Prosecution Service

OECD Organisation for Economic Co-operation and Development

Abbreviations of country names

AT Austria

BE Belgium

CH Switzerland

CZ Czech Republic

DE Germany

DK Denmark

EE Estonia

ES Spain

FI Finland

FR France

GB Great Britain

HU Hungary

IE Ireland

IS Iceland

LU Luxembourg

NIRL Northern Ireland

NL Netherlands

NO Norway

PL Poland

PT Portugal

Ministry of Justice Research Series 9/08

Explaining attitudes towards the justice system in the UK and Europe

This report on explaining attitudes towards the justice system in the UK and Europe was commissioned from the School of Public Policy at the University of Birmingham, as part of the 2006 Research Programme of the Department for Constitutional Affairs (now Ministry of Justice - MOJ).

The report summarizes the international opinion research and literature on attitudes towards the justice system, and uses this review as a context for analysing determinants of such attitudes in 19 European countries. It also compares the UK position with European findings, by studying levels of confidence in several elements of justice delivery based on analysis of the British Crime Survey.

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